

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 06/30/2006)

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.

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

Executive Director Richard L. Unz

Housing Authority of the City of Rock Hill
467 South Wilson Street
P. O. Box 11579
Rock Hill, South Carolina 29731

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: Housing Authority of the City of Rock Hill, SC **PHA Number:** SC022

PHA Fiscal Year Beginning: (mm/yyyy) 01/01/2009

PHA Programs Administered:

- Public Housing and Section 8**
 Section 8 Only
 Public Housing Only
 Number of public housing units: 369
 Number of S8 units:
 Number of public housing units:
 Number of S8 units: 500

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 2005- 2009
[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: (state mission here):

The Authority's mission is to promote safe, decent, sanitary and affordable housing that is well maintained, in excellent repair, with good curb appeal; and to expand the supply of and opportunities for both affordable rental housing and affordable homeownership for interested families.

B. Goals

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

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

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

- PHA Goal: Improve the quality of assisted housing
Objectives:
 - Improve public housing management: (PHAS score)
 - Improve voucher management: (SEMAP score)
 - Increase customer satisfaction:
 - Concentrate on efforts to improve specific management functions:
(list; e.g., public housing finance; voucher unit inspections)
 - Renovate or modernize public housing units:

- Demolish or dispose of obsolete public housing:
- Provide replacement public housing:
- Provide replacement vouchers:
- Other: (list below)

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): Maintain a payment standard between 90% and 110% of the

HUD FMR based on level of HUD funding

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): Continue collaborations with medical services and police to provide services within the developments

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

PHA Goal: Promote self-sufficiency and asset development of assisted households

Objectives:

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

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

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

Other PHA Goals and Objectives: (list below)

Maintain financial strength of the agency to ensure ability to continue operations at the desired level of quality.

Undertake activities to create and increase the availability of affordable home ownership and rental housing through Authority efforts and collaboration with other organizations.

Undertake efforts to increase non-HUD revenue streams and decrease reliance on federal grants.

Further increase the efficient use of limited resources to achieve desired programs.

Maintain full project based accounting and budgeting in the 2009 fiscal year and initiate the multi-year transition to asset management if required. If the anticipated exemption to asset management is not approved, full asset management compliance will be achieved during fiscal 2010. The Central Cost Center (COCC), established late in 2007, will continue to be tested for funding capacity by using the estimated HUD allowed fee structure to determine if funding is actually adequate. During the transition periods of 2009 and 2010, the fee structure will be supplemented by the allowed capital fund support of operations and central office costs for administrative efforts. The Amps will also provide added funding to the central cost center for the 2009 and 2010 periods to balance the budget for the central cost center during the transition but only to the extent needed to avoid a deficit in the central cost center. As additional outside (non-HUD) revenue sources are developed, the funding for the central cost center from these sources will defray an increasing portion of the overhead costs. Continuing through 2009, the expense structure will be adjusted and managed to achieve full compliance by the established 2011 HUD deadlines. Staffing patterns and responsibilities will be shifted to the appropriate project levels if not deemed a COCC responsibility. Position descriptions will be tested and modified as needed. COCC needs, particularly in the non-HUD property management areas, will be evaluated and decided. The Authority will use 2009 as the basis for resolving any issues with asset management, attempt to achieve a full conversion during

2009, and will hopefully be ready to be both fully compliant and fiscally successful during the 2010 year. However, the Authority intends to opt out of asset management if the Congress approves an exemption for authorities that applies to the Rock Hill Authority.

Streamlined Annual PHA Plan

PHA Fiscal Year 2009

[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.

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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*;
Form HUD-50071, *Certification of Payments to Influence Federal Transactions*;
Form SF-LLL & SF-LLLa, *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 Authority's current intent is to opt out of asset management if the current exemption for authorities under 400 units is made permanent. The Authority will, if still required, continue to transition to the HUD required asset management model of property management during 2009. This restructuring will be made although increasing difficulty is anticipated in the next few years driven by decreased reliability of funding streams coupled with a continuation of complex and time-consuming rental policies. Retaining quality staff with the necessary experience in a difficult and uncertain funding environment will be an ongoing challenge. Any decline in Capital Funds will force a true prioritization of where resources are used and will eventually have an impact on the current achieved level of high quality. With funding constraints, resident programs will be very limited unless provided by cooperative ventures with outside agencies. Fortunately, the Authority is as well positioned as it could be at this time with an experienced and knowledgeable staff and units that are exceptionally well maintained with excellent curb appeal. This will allow the Authority to deal with the issues of the future beginning from a position of strength and capability.

The Authority will continue to use the allocation system it has used for the past several years to apportion costs for the 2009 year; however, the Authority will also track expenses by amp and the COCC to determine if the fee schedule is fully feasible in case the asset management opt out provision is not continued and made permanent. The Authority will review its allocation system at the beginning of each year as it develops its budgets and projects the level of HUD and other funding and determines at what level programs will be operated based upon projected funding. One of the Authority's goals is to transition more staff funding to non-HUD programs with the goal of reducing the uncertainty associated with the federal funding cycle. The current fee schedule was 48.26 per unit per month for public housing needs. The Authority will meet or exceed the 40% progress in year 3 and full compliance by year 4 in the Central Office Cost Center if required to become asset management compliant.

The Authority's focus over the next few years will be to increase the availability of affordable housing with non-HUD sources of revenue and to increase non-HUD sources of revenue to sustain these efforts while maintaining excellent quality in both the operations and physical structures of the current developments. The continued use of an in-house work force (force account) for renovations and major repairs will continue. An excellent level of quality has been achieved through this effort and it solves the problem of a lack of interested contractors to bid on Authority work.

The Authority will fully switch to a project based financial system during 2008. Efforts will also be continued to begin the conversion to the asset management concept of operations. Staff training has already been initiated and will continue. The reorganization and reassignment of staff will begin in late 2007 will be refined to achieve a level that works for this Authority. As the Authority's fiscal year is already on a calendar year basis, the accounting time period is already based on the HUD mandated funding period.

Despite the challenges on the horizon, the Authority fully expects to continue to provide excellent affordable housing options for the Rock Hill community into the future.

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 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	92		27%
Extremely low income <=30% AMI	74	80.43%	
Very low income (>30% but <=50% AMI)	18	19.57%	
Low income (>50% but <80% AMI)	0	0	
Families with children	38	41.3%	
Elderly families	4	4.4%	
Families with Disabilities	14	15.3%	
Race/ethnicity	16	17.4%	
Race/ethnicity	76	82.6%	
Race/ethnicity	-		
Race/ethnicity	-		
Characteristics by Bedroom Size (Public Housing Only)			
1BR	55	59.8%	
2 BR	30	32.6%	
3 BR	6	6.6%	
4 BR	1	1.0%	
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)?			
Does the PHA expect to reopen the list in the PHA Plan year? <input type="checkbox"/> No <input type="checkbox"/> Yes			
Does the PHA permit specific categories of families onto the waiting list, even if generally closed?			
<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes			

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

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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	267		18%
Extremely low income <=30% AMI	176	66%	
Very low income (>30% but <=50% AMI)	91	44%	
Low income (>50% but <80% AMI)			
Families with children	160	60.0%	
Elderly families	0		
Families with Disabilities	61	22.9%	
Race/ethnicity	81	30.4%	
Race/ethnicity	186	69.6%	
Race/ethnicity	-		
Race/ethnicity	-		
Characteristics by Bedroom Size (Public Housing Only)			
1BR			
2 BR			
3 BR			
4 BR			
5 BR			
5+ BR			
Is the waiting list closed (select one)? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes			
If yes:			
How long has it been closed (# of months)? Since 5/01/08			
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 type="checkbox"/> No <input checked="" 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)

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)

Significant funding constraints are anticipated which, if incurred, will severely limit the ability to maintain the current level of effort to provide affordable housing. Reduced operating and capital funds could limit the ability to maintain the current quality of the housing and could eliminate any chance to further improve the quality. The reorganization required to implement asset management will further drain resources over the next 12 to 18 months. Any significant funding reductions would result in significant reductions of services.

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	1,150,000	
b) Public Housing Capital Fund	582,000	
c) HOPE VI Revitalization		
d) HOPE VI Demolition		
e) Annual Contributions for Section 8 Tenant-Based Assistance	2,781,600	
f) Resident Opportunity and Self-Sufficiency Grants		
g) Community Development Block Grant		
h) HOME		
Other Federal Grants (list below)		
Glenns contract Administration		
S8 Project Based Assistance-Eastside Homes	241,000	Project Operations
2. Prior Year Federal Grants (unobligated funds only) (list below)		
3. Public Housing Dwelling Rental Income	382,000	Public Housing Operations
4. Other income (list below)		
Interest Income	40,000	Public Housing Operations
Maintenance Charges	60,000	Public Housing Operations
4. Non-federal sources (list below)		
Maintenance Reimbursements	30,000	Staff Costs
Total resources	5,266,600	

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: (state time)
- Other: (describe)

Eligibility for the programs is done at the time a formal application is placed. Once related third party verifications are received, a determination is made to approve or deny assistance for cause.

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) Suitability for tenancy

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) A separate waiting list is used for Rock Hill, South Carolina (York County) properties and Great Falls, South Carolina (Chester County) properties

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

- PHA main administrative office
- PHA development site management office Great Falls, South Carolina
- 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.

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? None
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)

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)

- 1 Non-Assisted Rock Hill Elderly/Near-Elderly/Disabled/Displaced/Veterans With Income
- 2 Non-Assisted Rock Hill Elderly/Near-Elderly/Disabled/Displaced/Veterans Without Income
- 3 Non-Assisted Out-Of-Town Elderly/NearElderly/Disabled/Displaced/Veterans With Income
- 4 Non-Assisted Out-Of-Town Elderly/NearElderly/Disabled/Displaced/Veterans Without Income
- 5 Non-Assisted Rock Hill Working Families & Individuals
- 6 Non-Assisted Rock Hill Not Working Families
- 7 Non-Assisted Out-Of-Town Working Families
- 8 Non-Assisted Out-Of-Town Not Working Families
- 9 Assisted Rock Hill Elderly/Near-Elderly/Disabled/Displaced/Veterans
- 10 Assisted Out- of- Town Elderly/Near-Elderly/Disabled/Displaced/Veterans
- 11 Other Assisted Rock Hill Families by date and time
- 12 Other Assisted Out-of-Town Families by date and time

Preferences will be adjusted to meet income level targeting requirements when necessary. A preference listing is available by request.

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

- Date and Time

Former Federal preferences:

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

Other preferences (select all that apply)

- 1 Working families and those unable to work because of age or disability
- 1 Veterans and veterans' families
- 2 Residents who live and/or work in the jurisdiction
- 3 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. The ACOP will be used to reflect required changes to accommodate the Violence Against Women Act (VAWA). Although the Authority does not offer any direct supportive service programs to assist Victims, the Authority will adhere to the requirements of the VAWA in its occupancy Policies. The ACOP will be updated as needed as HUD requirements are published.
- PHA briefing seminars or written materials
- Other source (list)

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

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

(6) Deconcentration and Income Mixing

- a. Yes No: 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: Each of the RHHA developments has an average income below the 30% of median income as defined by HUD. The average income of SC 22-01 is \$6,823, SC22-02 is \$9,324, SC22-05 is \$10,732, and SC22-07 is \$7,562 with an overall average of \$8,873. As all incomes are well below the required threshold, a deconcentration plan is not required. In case one would ever be necessary, the ACOP addresses the issue.

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)

Whatever information is authorized to be released by applicant/participant as stated on the Landlord's release form. (Criminal or drug activity would disqualify an applicant for assistance and a voucher would not be issued.)

(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) 84 vouchers are project based at an elderly housing project which opened in May 2005

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: Hard to house circumstances or other extenuating circumstances as approved by the Executive Director.

(4) Admissions Preferences

a. Income targeting

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

b. Preferences

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

2. Which of the following admission preferences does the PHA plan to employ in the coming

year? (select all that apply from either former Federal preferences or other preferences)

Former Federal preferences

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

Other preferences (select all that apply)

- 1 Working families and those unable to work because of age or disability
- 1 Veterans and veterans' families
- 2 Residents who live and/or work in your jurisdiction
- 3 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)

- 1 Non-Assisted Rock Hill Elderly/Near-Elderly/Disabled/Displaced/Veterans With Income
- 2 Non-Assisted Rock Hill Elderly/Near-Elderly/Disabled/Displaced/Veterans Without Income
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- 11 Other Assisted Rock Hill Families by date and time
- 12 Other Assisted Out-of-Town Families by date and time

Preferences will adjusted to meet income level targeting requirements when necessary. A preference listing is available by request.

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

- Date and Time

Former Federal preferences:

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

Other preferences (select all that apply)

- 1 Working families and those unable to work because of age or disability
 - 1 Veterans and veterans' families
 - 2 Residents who live and/or work in your jurisdiction
 - 3 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)
- 1 Non-Assisted Rock Hill Elderly/Near-Elderly/Disabled/Displaced/Veterans With Income
 - 2 Non-Assisted Rock Hill Elderly/Near-Elderly/Disabled/Displaced/Veterans Without Income
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 - 10 Assisted Out- of- Town Elderly/Near-Elderly/Disabled/Displaced/Veterans
 - 11 Other Assisted Rock Hill Families by date and time
 - 12 Other Assisted Out-of-Town Families by date and time

Preferences will adjusted to meet income level targeting requirements when necessary. A preference listing is available by request.

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

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

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

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

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

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

(5) Special Purpose Section 8 Assistance Programs

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

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

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

- Through published notices
- Other (list below)

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

If Congress passes a bill allowing for an increase in the minimum rent to \$100.00, the Authority intends to increase the minimum to the \$100 level.

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

3. If yes to question 2, list these policies below:
Family must report hardship for consideration/verification.

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:

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

For the earned income of a previously unemployed household member

For increases in earned income

Fixed amount (other than general rent-setting policy)

If yes, state amount/s and circumstances below:

Fixed percentage (other than general rent-setting policy)

If yes, state percentage/s and circumstances below:

For household heads

For other family members

For transportation expenses

For the non-reimbursed medical expenses of non-disabled or non-elderly families

Other (describe below)

e. Ceiling rents

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

Yes for all developments

Yes but only for some developments

No

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

For all developments

For all general occupancy developments (not elderly or disabled or elderly only)

- For specified general occupancy developments
- For certain parts of developments; e.g., the high-rise portion
- For certain size units; e.g., larger bedroom sizes
- Other (list below)

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

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

f. Rent re-determinations:

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

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

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

(2) Flat Rents

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)

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. The payment standard will be kept between 90% and 110% of the HUD FMR with the percent selected based upon the availability of funding for the year in question.

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 For tenant based HCV
- 100% of FMR
- Above 100% but at or below 110% of FMR For 84 project based vouchers
- Above 110% of FMR (if HUD approved; describe circumstances below)

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

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

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

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

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

- Annually
- Other (list below)

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

- Success rates of assisted families
- Rent burdens of assisted families
- Other (list below) Program funding levels will impact the selection

(2) Minimum Rent

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

- \$0
- \$1-\$25

\$26-\$50

If Congress passes a bill allowing for an increase in the minimum rent to \$100.00, the Authority intends to increase the minimum to the \$100 level.

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

Family must report hardship for consideration/verification.

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.).

The Authority also intends to use account 1406 to transfer Capital Funds into public housing operations.

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:

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

- a. Actual or projected start date of activity:
 b. Projected end date of activity:

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? 8 maximum per year. The Section 8 Administrative Plan describes in detail the operation of the program.

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: 8 maximum per year. The Section 8 Administrative Plan describes in detail the operation of the program.

c. What actions will the PHA undertake to implement the program this year (list)? The Authority intends to initiate action to partner with the City Housing Department for training and financial counseling assistance.

(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). City of Rock Hill, SC
- d. Demonstrating that it has other relevant experience (list experience below). Over 35 years

in the operation and maintenance of housing programs, operation of two project based housing projects, an established ability to renovate and create excellent quality property, and a long-standing high level of cooperation with the City of Rock Hill.

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 2006 - 2010.)

The Authority has achieved excellence in its housing programs over the past year. RHHA is a high performer in both the Public Housing Assessment System and in the Section Eight Management Assessment Program. The physical structure of the owned housing stock has been exceptionally well maintained and is continually upgraded to provide quality units. Ongoing renovations continue to upgrade units with ceramic tile floors, kitchens and baths. Vacancy days are down as occupancy levels are up due to shorter turn times and a solid waiting list. Section 8 lease rates are also up with the Authority maintaining a 99% plus lease rate. Despite tight funding from HUD in all programs, the Authority is operating well within its program budgets at present. Program reserves in all funds are reasonable. Despite the major funding uncertainty in the coming years, the Authority is reasonably positioned to weather the funding shortfalls while undergoing the difficulty of converting to asset management. The Authority is meeting or exceeding its goals in both the physical, financial and management areas. Residents have indicated a reasonable level of satisfaction with the Authority's housing and local officials appear quite positive about the curb appeal and appearance of the Authority's properties. The Authority has initiated actions to increase its non-subsidized affordable housing to both increase services and options for affordable housing and to decrease reliance on federal funding streams to meet the local needs.

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 Substantial deviation will be considered the addition of a program or activity not in the plan that would have a significant and long-term impact on the applicable program. Minor additions with small financial, or policy impact involving only routine operations will not be considered significant.

Fungibility between years in the Capital Fund will not be considered significant.

b. Significant Amendment or Modification to the Annual Plan. Substantial deviation will be considered the addition of a program or activity not in the plan that would have a significant and long-term impact on the applicable program. Minor additions with small financial, or policy impact involving routine operations will not be considered significant.

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?

If yes, provide the comments below: Residents expressed an interest in air conditioning for non-air conditioned complexes. They were informed that HVAC work was in the plan but with limited funding, only minimal progress could be made in any given year.

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: Tammy Gordon

Method of Selection:

Appointment
**The term of appointment is (include the date term expires): 6 years,
4/12/2010 (appointed by the Mayor.)**

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)

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)

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:4/12/2010

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

(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: (provide name here) City of Rock Hill

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

b. The Consolidated Plan of the jurisdiction supports the PHA Plan with the following actions and commitments: (describe below) See attached letter from Rock Hill City Manager Carey Smith stating this PHA plan is consistent with the City Consolidated Plan.

(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. *The Authority currently has 84 project-based vouchers at Highland Park Mill and will continue those 84 per the HAP contract.*

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):

The Section 8 Admissions Plan will be used to reflect required changes to accommodate the Violence Against Women Act (VAWA). Although the Authority does not offer any direct supportive service programs to assist Victims, the Authority will adhere to the requirements of the VAWA in its occupancy policies. The Admissions plan will be updated as HUD requirements are published.

Plan Addendum for FYE 12-31-09
Resident Assessment System Survey
Follow-up Plan – FYE 2007 Survey

The Authority achieved a satisfactory or above score on all items; therefore, a follow-up plan was not required.

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
	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 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 Ops Assessment
	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
	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
X	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
X	Policies governing any Section 8 Homeownership program (Section _____ of the Section 8 Administrative Plan)	Annual Plan: S8 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
	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
	Policy on Ownership of Pets in Public Housing Family Developments (as required by regulation at 24 CFR Part 960, Subpart G). <input 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 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: Housing Authority of the City of Rock Hill SC SC022		Grant Type and Number Capital Fund Program Grant No: <u>SC16P02250109</u> Replacement Housing Factor Grant No:			Federal FY of Grant: 2009
<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	58,000			
3	1408 Management Improvements	20,000			
4	1410 Administration	56,000			
5	1411 Audit	500			
6	1415 Liquidated Damages				
7	1430 Fees and Costs	7,000			
8	1440 Site Acquisition				
9	1450 Site Improvement	12,000			
10	1460 Dwelling Structures	395,000			
11	1465.1 Dwelling Equipment—Nonexpendable	16,000			
12	1470 Nondwelling Structures	2,000			
13	1475 Nondwelling Equipment	30,000			
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1499 Development Activities				
19	1501 Collateralization or Debt Service				
20	1502 Contingency				
21	Amount of Annual Grant: (sum of lines 2 – 20)	596,500			
22	Amount of line 21 Related to LBP Activities	0			
23	Amount of line 21 Related to Section 504 compliance	0			
24	Amount of line 21 Related to Security – Soft Costs	0			
25	Amount of Line 21 Related to Security – Hard Costs	0			
26	Amount of line 21 Related to Energy Conservation Measures	0			

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: Housing Authority of the City of Rock Hill SC022		Grant Type and Number Capital Fund Program Grant No: SC16P02250109 Replacement Housing Factor Grant No:				Federal FY of Grant 2009		
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		58,000				
	Computer Software/Mgt Imp, Org Restructuring, Trainings, Transition Staffing, Resident Programs	1408		20,000				
	Administration	1410		56,000				
	Audit Costs	1411		500				
	Fees,Costs,Consulting	1430		7,000				
	Admin Office fencing,landscaping	1450		2,000				
	Admin Office Upgrade	1470		2,000				
	Copiers, computers, mowers, lawn maint equip, vehicles, back hoe, hoe attachments, dump truck,	1475		30,000				
Amp 1 (22-1,5,7)	Landscaping, trees, shrubs, seeding, And parking repairs	1450		4,500				
	Renovate units, interior and exterior, Including kitchens,living areas,baths	1460		170,000				
	Bedrooms, walls, floors, windows,							
	Roofing, siding, trim, HVAC, water							
	Heaters, locks, stairs							
	Replace, repair appliances	1465		7,400				

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: Housing Authority of the City of Rock Hill SC022			Grant Type and Number Capital Fund Program Grant No: SC16P02250109 Replacement Housing Factor Grant No:			Federal FY of Grant: 2009		
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	
Amp 2 (22-2)	Landscaping, trees, shrubs, seeding, And parking repairs	1450		5,500				
	Renovate units, interior and exterior, Including kitchens,living areas,baths Bedrooms, walls, floors, windows, Roofing, siding, trim, HVAC,water Heaters, locks Replace, repair appliances	1460		225,000				
		1465		8,600				

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 III: Implementation Schedule							
PHA Name: Housing Authority of the City of Rock Hill			Grant Type and Number Capital Fund Program No: SC16P02250109 Replacement Housing Factor No:			Federal FY of Grant: 2009	
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	7/31/2011			7/31/2013			
Amp 1	7/31/2011			7/31/2013			
Amp 2	7/31/2011			7/31/2013			

13. Capital Fund Program Five-Year Action Plan

Capital Fund Program Five-Year Action Plan					
Part I: Summary		SC16P02250109			
PHA Name Housing Authority of the City of Rock Hill				<input 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: 2010 PHA FY:	Work Statement for Year 3 FFY Grant: 2011 PHA FY:	Work Statement for Year 4 FFY Grant: 2012 PHA FY:	Work Statement for Year 5 FFY Grant: 2013 PHA FY:
	Annual Statement				
PHA Wide		175,500	175,500	175,500	175,500
<i>Amp 1</i>		181,900	181,900	181,900	181,900
Amp 2		239,100	239,100	239,100	239,100
CFP Funds Listed for 5-year planning		596,500	596,500	596,500	596,500
Replacement Housing Factor Funds					

13. Capital Fund Program Five-Year Action Plan

Capital Fund Program Five-Year Action Plan						
Part II: Supporting Pages—Work Activities				SC16P02250109		
Activities for Year 1	Activities for Year :2010 FFY Grant: PHA FY:			Activities for Year: 2011 FFY Grant: PHA FY:		
	Development Name/Number	Major Work Categories	Estimated Cost	Development Name/Number	Major Work Categories	Estimated Cost
See	<i>PHA Wide</i>	Operations	58,000	<i>PHA Wide</i>	Operations	58,000
Annual		IT upgrades/Mgt Imp, Tngs, Trans Staff, Org changes,Res Program	20,000		IT upgrades/Mgt Imp, Tngs, Trans Staff, Org changes,Res Programs	20,000
Statement		Administration	56,000		Administration	56,000
		Audits	500		Audits	500
		Fees, Costs,Consulting	7,000		Fees, Costs,Consulting	7,000
		Admin office repairs	2,000		Admin office repairs	2,000
		Admin Office upgrade	2,000		Admin Office upgrade	2,000
		Mowers, Vehicles, copiers, Computers	30,000		Mowers, Vehicles, copiers, Computers	30,000
	Amp 1 (22-1,5,7)	Site, grounds upkeep	4,500	Amp 1 (22-1,5,7)	Site, grounds upkeep	4,500
		Renovate units, interior and exterior	170,000		Renovate units, interior and exterior	170,000
		Replace appliances	7,400		Replace appliances	7,400
	Amp 2 Boyd Hill	Site, grounds upkeep	5,500	Amp 2 Boyd Hill	Site, grounds upkeep	5,500
		Renovate units, interior and exterior	225,000		Renovate units, interior and exterior	225,000
		Replace appliances	8,600		Replace appliances	8,600
Total CFP Estimated Cost			\$596,500			\$596,500

13. Capital Fund Program Five-Year Action Plan

Capital Fund Program Five-Year Action Plan SC16P02250109					
Part II: Supporting Pages—Work Activities					
Activities for Year :2012 FFY Grant: PHA FY:			Activities for Year:2013 FFY Grant: PHA FY:		
Development Name/Number	Major Work Categories	Estimated Cost	Development Name/Number	Major Work Categories	Estimated Cost
<i>PHA Wide</i>	Operations	58,000	<i>PHA Wide</i>	Operations	58,000
	IT upgrades/Mgt Imp, Tngs, Trans Staff, Org changes,Res Programs	20,000		IT upgrades/Mgt Imp, Tngs, Trans Staff, Org changes,Res Programs	20,000
	Administration	56,000		Administration	56,000
	Audits	500		Audits	500
	Fees, Costs,Consulting	7,000		Fees, Costs,Consulting	7,000
	Admin office repairs	2,000		Admin office repairs	2,000
	Admin Office upgrade	2,000		Admin Office upgrade	2,000
	Mowers, Vehicles, copiers, Computers	30,000		Mowers, Vehicles, copiers, Computers	30,000
Amp 1 (22-1,5,7)	Site, grounds upkeep	4,500	Amp 1 (22-1,5,7)	Site, grounds upkeep	4,500
	Renovate units, interior and exterior	170,000		Renovate units, interior and exterior	170,000
	Replace appliances	7,400		Replace appliances	7,400
Amp 2 Boyd Hill	Site, grounds upkeep	5,500	Amp 2 Boyd Hill	Site, grounds upkeep	5,500
	Renovate units, interior and exterior	225,000		Renovate units, interior and exterior	225,000
	Replace appliances	8,600		Replace appliances	8,600
Total CFP Estimated Cost		\$596,500	Total CFP Estimated Cost		\$596,500

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: SC022 Housing Authority of the City of Rock Hill		Grant Type and Number Capital Fund Program Grant No: SC16P02250108 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	58,000		0	0
3	1408 Management Improvements	15,000		0	0
4	1410 Administration	58,000		0	0
5	1411 Audit	500		0	
6	1415 Liquidated Damages				
7	1430 Fees and Costs	7,000		0	0
8	1440 Site Acquisition				
9	1450 Site Improvement	12,000		0	0
10	1460 Dwelling Structures	426,015		0	0
11	1465.1 Dwelling Equipment—Nonexpendable	16,000		0	0
12	1470 Nondwelling Structures	50,000		0	0
13	1475 Nondwelling Equipment	34,000		0	0
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)	676,515		0	0
22	Amount of line 21 Related to LBP Activities	0.0			
23	Amount of line 21 Related to Section 504 compliance	0.0			
24	Amount of line 21 Related to Security – Soft Costs	0.0			
25	Amount of Line 21 Related to Security – Hard Costs	0.0			
26	Amount of line 21 Related to Energy Conservation Measures	0.0			

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: SC022 Housing Authority of the City of Rock Hill		Grant Type and Number Capital Fund Program Grant No: SC16P02250108 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.	Qty	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
PHA Wide	Operations	1406		58,000		0	0	
	Computer Software, Mgt Imp	1408		15,000		0	0	
	Administration	1410		58,000		0	0	
	Audit	1411		500		0	0	
	Fees, Costs, Consulting	1430		7,000		0	0	
	Admin Office fence,grounds	1450		1,000		0	0	
	Admin Office repairs,upgrades	1470		50,000		0	0	
	Copiers, computers, mowers, Vehicles, lawn equipment	1475		34,000				
Amp 1 (22-1,5,7)	Replace Shrubs & Trees &Seed	1450		6,000		0	0	
	Renovate unit interiors/exteriors	1460		167,000		0		
	Ranges and Refrigerators	1465		8,000		0		
Amp 2 Boyd Hill	Replace Shrubs & Trees &Seed	1450		5,000		0	0	
	Renovate unit interiors/exteriors	1460		259,015		0	0	
	Ranges and Refrigerators	1465		8,000		0	0	

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 III: Implementation Schedule							
PHA Name: SC022 Housing Authority of the City of Rock Hill		Grant Type and Number Capital Fund Program No: SC16P02250108 Replacement Housing Factor No:				Federal FY of Grant: 2008	
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	6/12/2010			6/12/2012			
SC 22-01	6/12/2010			6/12/2012			
SC 22-02	6/12/2010			6/12/2012			
SC 22-05	6/12/2010			6/12/2012			
SC 22-07	6/12/2010			6/12/2012			

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: SC022 Housing Authority of the City of Rock Hill		Grant Type and Number Capital Fund Program Grant No: SC16P02250107 Replacement Housing Factor Grant No:			Federal FY of Grant: 2007
<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	58,000		0	0
3	1408 Management Improvements	30,000		2,646	2,645.69
4	1410 Administration	48,000		25,000	18,518.52
5	1411 Audit	500		0	0
6	1415 Liquidated Damages				
7	1430 Fees and Costs	7,000		0	0
8	1440 Site Acquisition				
9	1450 Site Improvement	12,000		4,240	4,239.25
10	1460 Dwelling Structures	395,063		216,776	127,320.61
11	1465.1 Dwelling Equipment—Nonexpendable	16,000			757.28
12	1470 Nondwelling Structures	2,000		0	0
13	1475 Nondwelling Equipment	14,000		1,338	1,337.50
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)	582,563		250,000.00	154,818.85
22	Amount of line 21 Related to LBP Activities	0.0			
23	Amount of line 21 Related to Section 504 compliance	0.0			
24	Amount of line 21 Related to Security – Soft Costs	0.0			
25	Amount of Line 21 Related to Security – Hard Costs	0.0			
26	Amount of line 21 Related to Energy Conservation Measures	0.0			

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: SC022 Housing Authority of the City of Rock Hill			Grant Type and Number Capital Fund Program Grant No: SC16P02250107 Replacement Housing Factor Grant No:			Federal FY of Grant: 2007		
Development Number Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Qty	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
PHA Wide	Operations	1406		58000.00		0	0	
	Fees & Costs	1430		7000.00		0	0	
	Administration	1410		48000.00		25,000	18,518.52	
	Computer Upgrade, Mgt Imp	1408		30000.00		2,646	2,645.69	
	Audit Costs	1411		500.00		0	0	
	A & M Renovations	1470		2000.00		0	0	
	A & M Renovations Site	1450		1000.00		0	0	
	Copiers,computers,mowers,vehic les,lawn equipment	1475		14000.00		1,338	1,337.50	
Amp 1-22-01,5,7	Renovate unit interiors/exterior	22-01 1460	11	182000.00				
	Replace Shrubs & Trees &Seed	22-01 1450	50	6000.00				
	Ranges and Refrigerators	22-01 1465	9	8000.00				
22-02 Boyd Hill	Renovate unit interiors/exterior	22-02 1460	30	213063.00				
	Replace Shrubs & Trees &Seed	22-02 1450	75	5000.00				
	Ranges and Refrigerators	22-02 1465	15	8000.00				

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 III: Implementation Schedule							
PHA Name: SC022 Housing Authority of the City of Rock Hill			Grant Type and Number Capital Fund Program No: SC16P02250107 Replacement Housing Factor No:			Federal FY of Grant: 2007	
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	09/12/09			09/12/11			
SC 22-01	09/12/09			09/12/11			
SC 22-02	09/12/09			09/12/11			
SC 22-05	09/12/09			09/12/11			
SC 22-07	09/12/09			09/12/11			

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: Housing Authority of the City of Rock Hill (SC022)		Grant Type and Number Capital Fund Program Grant No: _____ Replacement Housing Factor Grant No: _____			Federal FY Grant: 2006
<input checked="" type="checkbox"/> Original Annual Statement for Fiscal Year 2005 <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	\$58,000.00	58,000.00	58,000.00	58,000.00
3	1408 Management Improvements	30,000.00	29,986.36	29,986.36	29,986.36
4	1410 Administration	58,000.00	58,000.00	58,000.00	58,000.00
5	1411 Audit	500.00	500.00	500.00	500.00
6	1415 Liquidated Damages	0	0.0		
7	1430 Fees and Costs	4,500.00	4,500.00	4,500.00	4,500.00
8	1440 Site Acquisition	0			
9	1450 Site Improvement	14,000.00	14,000.00	14,000.00	14,000.00
10	1460 Dwelling Structures	412,289.00	412,289.00	412,289.00	412,289.00
11	1465.1 Dwelling Equipment—Nonexpendable	12,000.00	12,013.64	12,013.64	12,013.64
12	1470 Nondwelling Structures	0	0	0	0
13	1475 Nondwelling Equipment	0			
14	1485 Demolition	0			
15	1490 Replacement Reserve	0			
16	1492 Moving to Work Demonstration	0			
17	1495.1 Relocation Costs	0			
18	1499 Development Activities	0			
19	1501 Collateralization or Debt Service	0			
20	1502 Contingency	0			
21	Amount of Annual Grant: (sum of lines 2 – 20)	\$589,289.00	\$589,289.00	\$589,289.00	\$589,289.00
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: Housing Authority of the City of Rock Hill (SC022)		Grant Type and Number Capital Fund Program Grant No: <u>SC16P02250106</u> Replacement Housing Factor Grant No:			Federal FY of Grant: 2006			
Development No. Name/HA-Wide Activities	General Description of Major Work Categories	Dev. Acct No.	Qty	Total Estimated Cost		Total Actual Cost		Status of Work
				Original	Revised	Funds Obligated	Funds Expended	
PHA Wide	Operations	1406		58000.00		58000.00	58000.00	Complete
	Fees & Costs	1430		4500.00		4500.00	4500.00	Complete
	Administration	1410		58000.00		58000.00	58000.00	Complete
	Computer Upgrade	1408		30000.00	29986.36	29986.36	29986.36	Complete
	Audit Costs	1411		500.00		500.00	500.00	Complete
	A & M Renovations	1470	1					Complete
22-01	Renovate units	22-01 1460			13843.63	13843.63	13843.63	Complete
Workman Village	Grounds work	22-01 1450			2997.29	2997.29	2997.29	Complete
	Ranges, refrigerators	22-01 1465						Complete
								Complete
22-02	Renovate units	22-02 1460			386351.82	386351.82	386351.82	Complete
Boyd Hill	Grounds work	22-02 1450			7588.08	7588.08	7588.08	Complete
Community	Ranges, refrigerators	22-02 1465			12013.64	12013.64	12013.64	Complete
								Complete
22-05	Renovate Units	22-05 1460			12093.55	12093.55	12093.55	Complete
Keiger Street	Grounds work	22-05 1450			2276.42	2276.42	2276.42	Complete
	Ranges, refrigerators	22-05 1465						Complete
								Complete
22-07	Renovate Units	22-07 1460			1138.21	1138.21	1138.21	Complete
Great Falls	Grounds work	22-07 1450						Complete
	Ranges, refrigerators	22-07 1465						Complete
	Total of Costs:				589289.00	589289.00	589289.00	Complete

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 III: Implementation Schedule							
PHA Name: Housing Authority of the City of Rock Hill			Grant Type and Number Capital Fund Program No: <u> </u> Replacement Housing Factor No:			Federal FY of Grant: 2006	
Development Number Name/HA-Wide Activities	All Fund Obligated (Quarter Ending Date)			All Funds Expended (Quarter Ending Date)			Reasons for Revised Target Dates
	Original	Revised	Actual	Original	Revised	Actual	
PHA Wide	07/17/08		12/31/07	07/17/10		06/30/08	
SC 22-01	07/17/08		12/31/07	07/17/10		06/30/08	
SC 22-02	07/17/08		12/31/07	07/17/10		06/30/08	
SC 22-05	07/17/08		12/31/07	07/17/10		06/30/08	
SC 22-07	07/17/08		12/31/07	07/17/10		06/30/08	

*Approved by the Board of Commissioners in a regular meeting held
August 18, 2008*

HOUSING AUTHORITY OF THE CITY OF ROCK HILL

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I. BACKGROUND AND ADMINISTRATION OF PROGRAMS

The Housing Authority of the City of Rock Hill (PHA) was created to assist low-income families in obtaining decent, safe and sanitary housing at an affordable cost.

The Public Housing Program is administered according to the following applicable Federal Regulations, applicable HUD Handbooks, any pertinent state and local laws, and specific policies of the Housing Authority:

- Quality Housing & Work Responsibility Act of 1998
- Housing Act of 1937
- 24 Code of Federal Regulations Part 960
- 24 Code of Federal Regulations Part 8
- 24 Code of Federal Regulations Part 5

II. PLAN PURPOSE

The purpose of this policy is to meet HUD requirements, establish local policies for program interpretation and the PHA's discretionary areas, aid the staff in program procedures to ensure consistency, and provide program information (in an understandable format) to applicants and/or families. It is not the intent of this plan to replace and/or cite all Federal Regulations verbatim, but to summarize and support the regulations and program Handbooks. Federal regulations apply regardless of whether the regulations are addressed in the plan.

III. TARGETING & OUTREACH TO FAMILIES

During the PHA's fiscal year, not less than 40 percent of the families admitted to the PHA's public housing program from the PHA waiting list shall be extremely low-income families (incomes below 30% of the area median income). If admissions of extremely low-income families to the PHA's voucher program during the fiscal year exceeds the Section 8 program's targeting requirements (minimum of 75%), such excess may be credited, subject to HUD's limitations, against the public housing targeting requirement. The PHA will maintain necessary data and records for compliance monitoring.

Special outreach efforts may be necessary when the number of families on the waiting list is insufficient to maintain the leasing schedule or to attract groups that are not adequately represented in the assisted families such as the elderly or male heads of household or for targeting and deconcentration requirements.

The following sources may be used by the PHA for outreach to families:

Announcements, news articles, paid advertisements that serve the PHA's jurisdictional areas;

Public Service announcements on local television and radio stations;

Contact and coordination with local human service agencies that serve the PHA's jurisdictional areas;

Special presentations, as necessary, developed for local churches or other civic organizations; and

Coordination with the City and/or Community Development Departments.

IV. DECONCENTRATION OF POVERTY AND INCOME MIXING

The PHA will affirmatively further fair housing in its family (general occupancy) developments by endeavoring to maintain a relative mix/cross-section of income levels. The PHA will monitor on a continual basis the income mix of each of its "family" projects/communities. The PHA will utilize a dividing line of the average income.

Should it become necessary, the PHA may offer incentives to eligible families to locate in certain communities where a cross-section of income is not represented. The PHA will only utilize the waiting list "skipping" provisions of the regulations should it become critically necessary. Any waiting list skipping will be specifically documented in the resident's file and on a waiting list control log.

V. PRIVACY OF APPLICANT/FAMILY INFORMATION

In accordance with Federal laws and regulations, PHAs must determine family income and obtain other necessary information to determine an applicant's eligibility, unit size, and income for purposes of calculating the family's rent. The Housing and

Community Development Act of 1987 requires applicants and program participants to submit the social security numbers of all household members.

The PHA may conduct a computer match to verify the information provided. This information may be released to appropriate Federal, State, and local agencies, when relevant, and to civil, criminal or regulatory investigators and prosecutors. The information will not be otherwise disclosed or released outside of HUD, except as permitted or required by law. All requested information must be provided, including evidenced verification of all social security numbers for each family member.

Failure to provide any of the requested information shall result in a delay or rejection of an applicant's eligibility approval and may result in termination for residents receiving housing assistance.

VI. DEFINITIONS

Act. Quality Housing & Work Responsibility Act of 1998 (QHWRA) and Housing Act of 1937.

Admission. The point when the family becomes a participant in the program. In a tenant-based program, the date used for this purpose is the effective date of the first HAP contract for a family (first date of initial lease term).

Adult. A household member who is 18 years or older or who is the head of household, or spouse, or co-head.

Adjusted Income. Annual gross income less any adjustments permitted by Federal Regulations. See 24 CFR Part 5, Section 5.611.

Allowances. HUD approved deductions from annual gross income to determine adjusted income.

Annual Contributions Contract (ACC). A contract (in the form prescribed by HUD) for loans and contributions, which may be in the form of grants, whereby HUD agrees to provide financial assistance and the PHA agrees to comply with HUD requirements for the development and operation of a public housing complex, or to cover housing assistance payments and other expenses for tenant-based programs.

Annual Income. Defined further in 24 CFR Part 5, Section 5.609. All amounts, monetary or not, which: (1) Go to, or on behalf of, the family or spouse [or co-head] (even if temporarily absent) or to any other family member; or (2) are anticipated to be received from a source outside the family during the 12-month period following admission or annual re-examination effective date; and (3) which are not specifically excluded [by regulation]; also means amounts derived (during the 12-month period) from assets to which any member of the family has access [24 CFR 5.609].

Applicant or applicant family. A family that has applied for assistance or admission to a program, but is not yet a participant in the program.

Assets. Assets means "cash (including checking accounts), stocks, bonds, savings, equity in rental property, or the cash value of life insurance policies. Assets do not include the value of personal property such as furniture, automobiles and household effects or the value of business assets. See definition for Net Family Assets more particularly described in 24 CFR 5.603.

Asset Income. Income received from assets held by family members. If assets total more than \$5,000, income from the asset income and imputed asset income is counted in annual income.

Assistance Applicant: For the Public Housing Program: A family or individual that seeks admission to the program.

Assisted Family: A family who is currently living in a HUD-assisted property or leasing a unit wherein rent is reduced by a special program or rent is subsidized by the Department of Housing and Urban Development.

Assisted Lease (or "Lease"). A written agreement between an owner and a family for the leasing of a unit by the owner to the family with assistance payments under a Housing Assistance Payments (HAP) contract between the owner and the PHA.

Care attendant: a person that regularly visits the unit of a PHA resident to provide supportive or medical services. Care attendants are not live-in aides, since they have their own place of residence (and if requested by PHA must demonstrate separate residence) and do not live in the public housing unit. Care attendants have no rights of tenancy.

Childcare 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 are 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 amount 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.**

Ceiling Rent. Maximum rent determined and set by some PHAs.

Certificate. A document issued by a PHA to a family selected for admission to the rental certificate program. The certificate describes the program, and the procedures for PHA approval of a unit selected by the family. The certificate also describes the obligations of the family under the program.

Certificate or Voucher holder. A family holding a voucher or certificate with unexpired search time.

Certificate program. Rental Certificate program.

Citizen. A citizen (by birth or naturalization) or national of the United States.

Co-Head of Household: An adult member of the family who is treated the same as a head of the household for purposes of determining income, eligibility and rent.

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.

Complex for elderly families. A complex for elderly families is a complex or portion of a complex to which regulations for housing assistance apply that was designated for occupancy by the elderly at its inception (and that has retained that character) or, although not so designated, for which the PHA gives preference in tenant selection (with HUD approval) for all units in the complex (or for a portion of the units in the complex) to elderly families.

Continuously assisted. An applicant is continuously assisted under the 1937 Housing Act if the family is already receiving assistance under any 1937 Housing Act program when the family is admitted to the certificate or voucher program.

Contract Rent. The total amount of rent specified in the Housing Assistance Payment Contract as payable to the owner by the family and/or by the PHA on the family's behalf.

Cooperation Agreement. An agreement between a PHA and the applicable local governing body or bodies which assures exemption from real and personal property taxes, provides for local support and services for the development and operation of a public housing complex, and provides for PHA payments in lieu of taxes.

Covered Person: For the purpose of screening and terminating tenancy for criminal activity, a tenant, any member of the tenant's household, a guest, or another person under the tenant's control.

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.

Covered Housing. Public housing, project-based assistance under section 8 (including new construction and substantial rehabilitation projects), and tenant-based assistance under section 8.

Covered Person. A tenant, any member of the tenant's household, a guest or another person under the tenant's control.

Credible Evidence. Evidence of drugs found in the dwelling unit, evidence, which is tied to the drug activity, arrest, warrant issued, drug raids, or arrest, or conviction for such activity.

Decent, safe and sanitary. Housing is decent, safe, sanitary and in good repair if the requirements of the federal regulations are met.

Deductions. Federally mandated allowable deductions from annual gross income. See Attachment.

Dependent. A member of the family household, other than head, spouse, sole member, foster child, or Live-in Aide, who is under 18 years of age, or 18 years of age or older and disabled, or a full-time student and qualifies for the \$480 deduction when computing income-based rent. [24 CFR §5.603]

Disability: (Handicap*) (Section 504) [as defined for Civil Rights Protections] Any condition or characteristic that renders an individual a *person with disabilities (handicaps)*. [24 CFR 8.3]

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. See Attachment.

Disabled Family: a family whose head, spouse or sole member is a person with disabilities (as defined by 24 CFR 5.403). It may include two or more persons with disabilities living together, or one or more persons with disabilities living with one or more live-in aides. [24 CFR 5.403] (See definition of Person with Disabilities as defined for program eligibility purposes.)

Disabled (Handicapped) Family: 1. Families of two or more persons the head of which (or his or her spouse) is a person with disabilities (handicapped) 2. The surviving member or members of any family described in paragraph (1) of this definition, living in a unit assisted under 24 CFR 891, subpart E (Section 202 loans) with the deceased member of the family at the time of his or her death. 3. A single person with disabilities (handicapped person) over the age of 18; or , 4. Two or more persons with disabilities (handicapped person) living together , or one or more such person living with another person who is determined by HUD, based upon a licensed physician's certificate provided by the family, to be essential to their care or well-being. [24 CFR 891.505].

Disabled Household: Disabled household means a household composed of: (1) One or more persons at least one of whom is an adult (18 years or older) who has a disability; (2) Two or more persons with disabilities living together, or one or more such persons living with another person who is determined by HUD, based upon a certification from an appropriate professional (e.g., a rehabilitation counselor, social worker, or licensed physician) to be important to their care or well being; or (3) The surviving member or members of any household described in paragraph (1) of this definition who were living in a unit assisted under this part with the deceased member of the household at the time of his or her death.

Disabled person (This definition is to be used for purposes of maintaining nondiscrimination practices in program accessibility (see 24 CFR 8.3); see Person with Disability definition for purposes of defining disability).

Includes any person who has a physical or mental impairment that substantially limits one or more major life activities; has a record of such impairment; or is regarded as having such impairment. This term does not include any individual who is an alcoholic or drug abuser whose current use of alcohol or drugs prevents the individual from participating in the program or activity in question, or whose participation, by reason of such current alcohol or drug abuse, would constitute a direct threat to property or the safety of others. As used in this definition, the phrase:

(a) Physical or mental impairment includes:

(1) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: Neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive, genito-urinary, hemic and lymphatic skin; and endocrine; or

(2) Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. The term physical or mental impairment includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, drug addiction and alcoholism.

(b) Major life activities means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.

(C) Has a record of such means:

(1) Has a physical or mental impairment that does not substantially limit one or more major life activities but that is treated by a recipient as constituting such a limitation.

(2) Has a physical or mental impairment that substantially limits one or more major life activities only as a result of the attitudes of others toward such impairment; or

(3) Has none of the impairments defined in paragraph (a) of this section but is treated by a recipient as having such an impairment.

(See also definition for "Qualified individual with Handicap).

Disallowance: Exclusion from annual income.

Displaced Family: A family in which each member or whose sole member is a person displaced by governmental action, or a person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to federal disaster relief laws. [24 CFR 5.403]

Displaced Person. A person displaced by governmental action, or a person whose dwelling has been extensively damaged or destroyed as a result of disaster declared or otherwise formally recognized under federal disaster relief laws. [24 CFR 5.403]

Displacement by inaccessibility of unit. An applicant is involuntarily displaced by inaccessibility of a unit if:

(1) A member of the family has a mobility or other impairment that makes the person unable to use critical elements of the unit; and

(2) The owner is not legally obligated to make changes to the unit that would make critical elements accessible to the disabled person as a reasonable accommodation.

Displacement as a result of HUD disposition of units. Involuntary displacement includes HUD disposition of multifamily rental housing complex under Section 203 of the Housing and Community Development Amendments of 1978.

Divestiture Income: Imputed income from assets, including business assets, disposed of by applicant or resident in the last two years at less than fair market value. (see definition of Net Family Assets, 24 CFR§ 5.603,

Domicile. The legal residence of the household head or spouse as determined in accordance with State and local law.

Drug. A controlled substance as defined in the Controlled Substances Act. [24 CFR §5.100]

Drug-related criminal activity. The illegal manufacture, sale, distribution, or use of a drug, or the possession of a drug with intent to manufacture, sell, distribute or use the drug (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802).

EO Plan. Equal Opportunity Housing Plan. The EO plan establishes PHA policies for implementing civil rights requirements.

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.

Effective date. The effective date of an examination or reexamination refers to (a) in case of an examination for admission, the effective date of initial occupancy, and (b) in the case of reexamination of an existing resident, the effective date of the redetermined total tenant payment.

Elderly family. A family whose head or spouse (or sole member) is a person who is at least 62 years of age. It may include two or more persons who are at least 62 years of age living together, or one or more persons who

are at least 62 years of age living with one or more live-in aides.

Elderly person. A person at least 62 years of age. An elderly person is a household composed of one or more persons, at least one of whom is 62 years of age or more at the time of initial occupancy.

Elderly family. A family whose head, spouse or sole member is a person who is at least 62 years of age.

Eligible families. Low income families who are eligible for admission to the public housing program.

Eligible noncitizen. A person who has eligible immigration status in one of the following categories:

1. A noncitizen lawfully admitted for permanent residence, as defined by section 101(a)(20) of the Immigration and Nationality Act (INA), as an immigrant, as defined by section 101(a)(15) of the INA (8 U.S.C.1101(a)(2) and U.S.C. 1101(a)(15) respectively) [immigrants]. (This category includes a noncitizen admitted under section 210 or 210A of the INA (8 U.S.C.1160 or 1161) [special agricultural worker], who has been granted lawful temporary resident status);
2. A noncitizen who entered the United States before January 1, 1972, or such later date as enacted by law, and has continuously maintained residence in the United States since then, and who is not ineligible for citizenship, but who is deemed to be lawfully admitted for permanent residence as a result of an exercise of discretion by the Attorney General under section 249 of the INA (8i U.S.C. 1259);
3. A noncitizen who is lawfully present in the United States pursuant to an admission under section 207 of the INA (8 U.S.C. 1157) [refugee status]; pursuant to the granting of asylum (which has not been terminated) under section 208 of the INA (8 U.S.C. 1158) [asylum status]; or as a result of being granted conditional entry under section 203(a)(7) of the INA (8 U.S.C. 1153(a)(7)) before April 1, 1980, because of persecution or fear of persecution on account of race, religion, or political opinion or because of being uprooted by catastrophic nation calamity;
4. A noncitizen who is lawfully present in the United States as a result of an exercise of discretion by the Attorney General for emergent reasons or reasons deemed strictly in the public interest under section 212(d)(5) of the INA (8 U.S.C. 1182(d)(5)) [parole status];
5. A noncitizen who is lawfully present in the United States as a result of the Attorney General's withholding deportation under section 243(h) of the INA (8 U.S.C. 1253(h)) [threat to life or freedom];
6. A noncitizen lawfully admitted for temporary or permanent residence under section 245A of the INA (8 U.S.C. 1255a) [amnesty granted under INA 245A]; or
7. A noncitizen who is a lawful resident in the United States and its territories and possessions under section 141 of the Compacts of Free Association between the government of the United States and the Governments of the Marshall Islands, the Federated States of Micronesia and Palau (collectively referred to as "the Freely Associated States" (FAS)) [Section 3(b) of Public Law 106-504].

A nonimmigrant student, while lawfully admitted to the United States, is not eligible.

Eviction. The dispossession of the tenant from the lease unit as a result of the termination of the tenancy, including a termination prior to the end of a term or at the end of a term.

Evidence of Citizenship or Eligible Status: The documents that must be submitted to evidence citizenship or eligible immigration status. [24 CFR 5.504]. Applicant/resident must provide appropriate immigration documents to initiate verification. Verification of eligible immigrant status must be received from DHS through the DHS SAVE system or through secondary verification using DHS Form G-845.

Exempt Individual. (As related to Residents Who Must Perform Community Work Service Activities or Self-Sufficiency Work Activities): An adult who: (1) Is 62 years or older; (2)(i) Is a blind or disabled individual, as defined under 216(i)(1) or 1614 of the Social Security Act (42 U.S.C. 416(i)(1); 1382c), and who certifies that because of this disability she or he is unable to comply with the service provisions; or (ii) Is a primary caretaker of such individual; (3) Is engaged in work activities; (4) Meets the requirements for being exempted from having to engage in a work activity under the State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 *et seq.*) or under any other welfare program of the State in which the PHA is located, including a State-administered welfare-to-work program; or (5) Is a member of a family receiving assistance, benefits or services under a State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 *et seq.*) or under any other welfare program of the State in which the PHA is located, including a State-administered welfare-to-work program, and has not been found by the State or other administering entity to be in noncompliance with such a program.

Extremely Low-income family. A family whose annual income is equal to or less than 30 percent of the Area Median Income, as published by HUD.

FMR. The rent, including the cost of utilities (except telephone), as establish by HUD for units of varying sizes (by number of bedrooms), that must be paid in the housing market area to rent privately owned, existing, decent, safe and sanitary rental housing of modest (non-luxury) nature with suitable amenities. See periodic publication in the Federal Register in accordance with 24 CFR 888.

Fair Housing Act: Title VIII of the Civil Rights Act, 42 U.S.C. 3601. The Fair Housing Act is a broad statute that prohibits discrimination based upon race, color, religion, sex, national origin, disability, or familial status in most housing and housing-related transactions.

Familial Status: One or more individuals (who have not attained the age of 18 years) being domiciled with: (1) A parent or another person having legal custody of such individual or individuals (regardless of age or number of children); or (2) The designee of such parent or other person having such custody, with the written permission of such parent or another person.

Family. Defined in 24 CFR 5. 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. See 24 CFR 5.403.

Family Composition: The specific individuals who are included in the assisted family. Information on family composition includes names, ages, sexes, and citizenship status of all members and their relationship to one another.

Family members. Any household members except 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 HUD 50058.

Family Self-Sufficiency (FSS) Program. A program established by a PHA within its jurisdiction to promote self-sufficiency among participating families, including the provision of supportive services to these families, as authorized by section 23 of the U.S. Housing Act of 1937.

Family unit size. The appropriate number of bedrooms for a family. Family unit size is determined by the PHA under the PHA occupancy standards or subsidy standards.

Federally Assisted Housing: Includes housing assisted under any of the following programs: (1) Public housing; (2) Housing receiving project-based or tenant-based assistance under Section 8 of the U. S. Housing Act of 1937 (42 U.S.C. 1437f); (3) Housing that is assisted under section 202 of the Housing Act of 1959, amended by section 801 of the National Affordable Housing Act (12 U.S.C. 1701q); (4) Housing that is assisted under section 202 of the Housing Act of 1959, as such section existed before the enactment of the National Affordable Housing Act; (5) Housing that is assisted under section 811 of the National Affordable Housing Act (42 U.S.C. 8013); (6) Housing financed by a loan or mortgage insured under section 221 (d)(3) of the National Housing Act of (12 U.S.C. 1715 (d)(3)) that bears interest at a rate determined under the proviso of section 221 (d)(5) of such Act (12 U.S.C. 1715/(d)(5)); (7) Housing insured, assisted, or held by HUD or by a State or local agency under section 236 of the National Housing Act (12 U.S.C. 1715z-1); or (8) Housing assisted by the Rural Housing Service under section 514 or section 515 of the Housing Act of 1949 (42 U.S.C. 1483, 1484). [24 CFR 5.100]

Flat Rent. A rent for Public Housing units as determined and set by PHAs that a family may choose to pay in lieu of an income-based rental amount.

Foster Adult: A foster adult is usually an adult with a disability who is unrelated to the tenant family and who is unable to live alone.

Foster Children: Children that are in the legal guardianship or custody of a State, county, or private adoption or foster care agency, yet are cared for by foster parents in their own homes, under some kind of short-term or long-term foster care arrangement with the custodial agency. These children will generally remain in foster care until they are reunited with their parents, or until their parents voluntarily consent to their adoption by another family, or until the court involuntarily terminates or severs the parental right of their biological parents, so that they can become available to be adopted by another family. Therefore, the parental rights of the parents of these children may or may not have been terminated or severed, and the children may or may not be legally available for adoption.

Fraud. Intentionally providing false, incomplete or inaccurate information on an application, recertification form, or failure to report all sources of income received by the family. Deceit or trickery deliberately practiced to gain some advantage dishonestly. Fraud is an intentional deception and cannot be committed accidentally.

Full-time student. A person who is carrying a subject load that is considered full-time under the standards and practices of the educational institution attended. An education institution includes a vocational training school with a diploma or certificate program, as well as an institution offering a college degree; a person who is attending school or vocational training on a full-time basis.

Gross rent. The total monthly cost of housing an eligible family, which is the sum of the contract rent and any utility allowance.

Guest. A person temporarily staying in the unit with the consent of a tenant or other member of the household who has express or implied authority to so consent on behalf of the tenant.

handicapped appears in a number of regulatory definitions that have not yet been updated to reflect current statutes. HUD replaced *handicapped* with the term *disabled, disability, or impairment* to reflect current statutes. The parenthetical reference to handicapped indicates that the term *handicapped* has been replaced with disabled, disability, or impairment in that definition.

Head of Household. The adult member of the family who is the head of the household for purposes of determining income eligibility and rent. The head of household is the person who assumes legal and moral responsibility for the household who is held responsible and accountable for the family.

Household. Head of household and PHA-approved household members which may include a PHA-approved live-in aide.

Housing Assistance Payment ("HAP"). The payment made by the PHA to the owner of a unit under lease by an eligible family, as provided in the contract, in accordance with Federal Regulations. The payment is the difference between the contract rent and the tenant rent. An additional payment is made by the PHA to the family when the utility allowance is greater than the total tenant payment. In the case of a family renting only a manufactured home space, the HAP is determined in accordance with the Federal Regulations.

Housing Assistance Payment Contract. A written contract between the PHA and an owner for the purpose of providing housing assistance payments to the owner on behalf of an eligible family.

Housing Assistance Plan. A local housing assistance plan approved by the field office meeting the requirements of the community development block grant regulation (24 CFR 570) whether or not the unit of general local government submitting the plan is a participant in the block grant program.

Housing Quality Standards "HQS". Program requirements for housing standards established by HUD and any variations established by the PHA and approved by HUD.

Imputed Asset. Asset disposed of for less than Fair Market Value during two years preceding examination or reexamination.

Imputed Asset Income. Calculation used when assets exceed \$5,000.00, e.g., HUD passbook rate x total cash value of assets.

Imputed Welfare Income. The amount of annual income not actually received by a family, as a result of a specified welfare benefit reduction, that is nonetheless included in the family's annual income for purposes of determining rent. (See HUD regulations Section 5.615 (c) for determination requirements for imputed welfare income.)

Inactive Status. Inactive means that an applicant is removed from the wait list. The applicant would need to reapply, if the wait list is open to regain entry onto to the wait list and the applicant would start over as a new applicant.

Income Deductions. See Deductions Attachment.

Income Limit: HUD establishes income limits that are used to determine whether housing applicants qualify for admission to HUD-subsidized properties. The income limits are based on HUD estimates for area median family income with certain statutorily permissible adjustments. Different programs use different income limits.

Income limits. HUD established very low-income and low-income limits that are used to determine if assisted housing program applicants qualify for admission to HUD-assisted programs. These income limits are based on HUD estimates for area median family income (using Metropolitan Statistical Areas or Primary Metropolitan Statistical Areas as defined by the Office of Management and Budget (OMB), and the Bureau of the Census definition of family) with specific statutorily permissible adjustments. If the income limits based on this

approach would be less than if based on the relevant State non-metropolitan median family income level, income limits are based on the State non metropolitan family income level.

Income Based Rent. An income-based rent is a tenant rent that is based on the family's income and the PHA's rent policies for determination of such rents.

Incremental Units. The number of budgeted certificate units minus any units for which HUD provided tenant-based program funding designated for families previously residing in housing with Section 8 project-based assistance.

INS. The U.S. Immigration and Naturalization Service.

Landlord. Either the owner of the property or his/her representative or the managing agent or his/her representative as shall be designated by the owner.

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

Lease. A written agreement between an owner (including a PHA) and a family for the leasing of a housing unit. Section 8 programs require an Addendum to the Lease (that contains mandatory language) if an owner's lease is used which must be incorporated into any lease or attached to the lease.

Live-in aide. (24 CFR 5.403) A person who resides with one or more elderly, near-elderly or disabled persons or disabled person and who:

(1) Is determined to be essential to the care and well being of the persons; a health care provider must document the need for a live-in aide.

(2) Is not obligated for the support of the persons and whose income is not considered in calculating the resident's rent.

(3) Would not be living in the unit except to provide necessary supportive services. (Occasional, intermittent, multiple or rotating care givers do not meet the definition of a live-in aide.)

(4) is not a member of the assisted family and is not entitled to remain in the unit as the remaining member of the tenant family.

(5) has been approved by the PHA. The PHA may disapprove such a person if s/he has: (1) committed fraud, bribery or any other corrupt or criminal act in connection with any federal housing program; (2) committed drug-related criminal activity or violent criminal activity; or (3) currently owes rent or other amounts to the PHA or to another PHA in connection with Section 8 or public housing assistance under the 1937 Act. (24 CFR 982.316)

Local preference. A preference used by the PHA to select among applicant families.

Low-income family. A family whose annual incomes does not exceed 80 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families. HUD may establish income limits higher or lower than 80 percent of the median income for the area on the basis of its finding that such variations are necessary because of the prevailing levels of construction costs or unusually high or low family incomes.

Major Life Activities. Functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.

Medical expenses. Allowable deductions from annual gross income for certain types of program participants. See Attachment.

Mixed Family. A family whose members include those with citizenship or eligible immigration status, and those without citizenship or eligible immigration status.

Monthly adjusted income. One-twelfth of adjusted annual income.

Monthly income. One-twelfth of annual income.

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, including Puerto Rico, the U.S. Virgin Islands, Guam, Canal Zone, etc.

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

Near-elderly person: means a person who is at least 50 years of age but below 62, who may be a person with a disability

Net family assets. Net cash value after deducting reasonable costs that would be incurred in disposing of real property, savings, stocks, bonds, and other forms of capital investment, excluding interests in Indian trust land and the equity in a housing cooperative unit or in a manufactured home in which the family resides. The value of necessary items of personal property such as furniture and automobiles shall be excluded. (In cases where a trust is not revocable by, or under the control of, any member of the family or household, the value of the trust fund will not be considered an asset so long as the fund continues to be held in trust. Any income distributed from the trust fund shall be counted when determining annual income under 24 CFR 5, Subpart F.)

In determining net family assets, PHAs and Owners shall include the value of any business or family assets disposed of by an applicant or tenant for less than fair market value (including a disposition in trust, but not in a foreclosure or bankruptcy sale) during the two years preceding the date of application for the program or reexamination, as applicable, in excess of the consideration received therefore. In the case of a disposition as part of a separation or divorce settlement, the disposition will not be considered to be for less than fair market value if the applicant or tenant receives important consideration not measurable in dollar terms. See also definition for Imputed Asset and Imputed Income.

Noncitizen. A person who is neither a citizen nor a national of the United States, and is not eligible for housing assistance unless eligible immigration status has been provided (evidenced by supporting documentation) in one of the following categories:

(1) A noncitizen who has been lawfully admitted to the U.S. for permanent residence, as defined by the Immigration and Nationality Act as an immigrant (includes special agricultural workers who have been granted lawful temporary resident status).

(2) A noncitizen who entered the U.S. before January 1, 1972, or such later date as enacted by law, and who has continuously maintained residence in the U.S. since then, and who is not ineligible for citizenship, but who is deemed to be lawfully admitted for permanent residence as an exercise of discretion by the U.S. Attorney General.

(3) A noncitizen who is lawfully present in the U.S. pursuant to an admission under refugee status, asylum status, or as a result of being granted conditional entry because of persecution or fear of persecution on account of race, religion, or political opinion or because of being uprooted by catastrophic national calamity.

(4) A noncitizen who is lawfully present in the U.S. as a result of an exercise of discretion by the U.S. Attorney General for emergent reasons or for reasons deemed strictly in the public interest under parole

status.

(5) A noncitizen that is lawfully present in the U.S. as result of the Attorney General's withholding deportation for threat of life or freedom.

(6) A noncitizen lawfully admitted for temporary or permanent residence under amnesty (Section 245A of the INA).

Noncitizen Student. Housing Assistance (including continued assistance, prorated assistance or temporary deferral of termination of assistance) is prohibited to all noncitizen students (including spouses or minor children) who have a residence in a foreign country that the person has no intention of abandoning; are a bona fide student qualified to pursue a full course of study; and are admitted to the U.S. temporarily and solely for purposes of pursuing such a course of study, particularly designated by such person and continually approved by the U. S. Attorney General.

Occupancy standards. Standards established by a PHA to determine the appropriate number of bedrooms for families of different sizes and compositions. See definition of "family unit size."

Other Person Under Tenant's Control. A person, although not staying as a guest (see definition of guest) in the unit, is, or was at the time of the activity in question, on the premises because of an invitation from the tenant or other member of the household who has express or implied authority to so consent on behalf of the tenant.

Owner. Any person or entity, including a cooperative, having the legal right to lease or sublease Existing Housing. See the Annual Contributions Contract for the types of prohibited or conflict of interest owners. (2) The owner of federally assisted housing.

PHA. Public housing agency or authority. Also referred to as HA. A State, county, municipality or other governmental entity or public body authorized to administer the programs. The term "PHA" includes an Indian housing authority (IHA). "PHA" and "HA" mean the same thing.

PHA jurisdiction. The area in which the PHA is not barred and is legally permitted to operate under State law.

Participant. A family that has been admitted to the PHA's certificate or voucher program and is currently assisted in the program. The family becomes a participant on the effective date of the first HAP contract executed by the PHA for the family (first day of initial lease term). (2) For the Public Housing program: A family or individual that is assisted under the program.

Payment standard. In a voucher or over-FMR tenancy, the maximum subsidy payment for a family (before deducting the family contribution). For a voucher tenancy, the PHA sets a payment standard in the range from 80 to 100 percent of the current FMR/exception rent limit. For an over-FMR tenancy, the payment standard equals the current FMR/exception rent limit.

Person with Disability. 1. Means a person who:

(i) Has a disability, as defined in 42 U.S.C. 423;

(ii) Is determined, pursuant to HUD regulations, to have a physical, mental, or emotional impairment

that:

(A) Is expected to be of long-continued and indefinite duration;

(B) Substantially impedes his or her ability to live independently; and

(C) Is of such a nature that ability to live independently could be improved by more suitable housing conditions; or

(iii) has developmental disability as defined in 42 U.S.C. 6001.

2. Does not exclude persons who have the disease of acquired immunodeficiency syndrome or any conditions arising from the etiologic agent for acquired immunodeficiency syndrome or any conditions arising from the etiologic agent for acquired immunodeficiency syndrome;

3. For purposes of qualifying for low income housing, does not include a person whose disability is based solely on any drug or alcohol dependence; and

4. Means "individual with handicaps", as defined in Section 8.3 of this title, for purposes of reasonable accommodation and program accessibility for persons with disabilities.

Permanent Replacement Housing. Housing that is decent, safe, and sanitary; that is adequate for the family size; and that the family is occupying pursuant to a lease or occupancy agreement. (This term is used in defining eligibility for involuntarily displaced persons who may have received shelter after being displaced and before receiving rental assistance).

Pre-adjustment Rent. Rent to an owner that does not include any previously approved special adjustments.

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

Preponderance of Evidence. 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.

Previously Unemployed. Includes a person who has earned, in the twelve months previous to employment, no more than would be received for 10 hours of work per week for 50 weeks at the established minimum wage.

Probation: A period of leniency in lieu of termination extended to a resident/participant after lease or HAP violations have occurred or the preponderance of evidence indicates that violations have occurred during which time the resident/participant is put on notice that additional violations can bring about termination of assistance.

Processing Entity: the person or entity that 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."

Proper Reporting Methods : Tenant/participant reporting in writing by signed documentation to the Housing Authority any change in income within ten days of the change (including but not limited to income that may be exempted or excluded from rent calculation) or any change in family composition within ten days of the actual change and by providing all requested or required documentation (birth certificates, social security numbers, mailing addresses etc.) or any other documentation needed by HA staff to accurately determine the proper amount of rent and subsidy.

Public Housing: Housing assisted under the 1937 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 assistance.

Rental Agreement: All agreements, written or oral, between the landlord and tenant (and valid rules and regulations adopted by the landlord pursuant to a written agreement relating to the use and occupancy of a dwelling unit and surrounding premises.

Resident Advisory Board: Board of Public Housing residents and Section 8 participants formed to assist the

PHA in operational and policy changes.

Residency preference. A preference for admission of persons who reside in a specified geographic area.

Qualified Family. A family residing in public housing: (i) Whose annual income increases as a result of employment of a family member who was unemployed for once or more years previous to employment; (ii) Whose annual income increases as a result of increased earnings by a family member during participation in any economic self-sufficiency or other job training program; or (iii) Whose annual income increases, as a result of new employment or increased earnings of a family member, during or within six months after receiving assistance, benefits or services under any state program for temporary assistance for needy families funded by TANF, as determined by the PHA in consultation with the local agencies administering TANF and Welfare-to-Work (WTW) programs. The TANF program is not limited to monthly income maintenance, but also includes such benefits and services as one-time payments, wage subsidies and transportation assistance—provided that the total amount over a six-month period is at least \$500.

Qualified Individual with Handicap. (See 24 CFR Part 8.3). With respect to any non-employment program or activity which requires a person to perform services or to achieve a level of accomplishment, an individual with handicaps who meets the essential eligibility requirements and who can achieve the purpose of the program or activity without modifications in the program or activity that the Housing Authority can demonstrate would result in a fundamental alteration in its nature; or with respect to any other non-employment program or activity, an individual with handicaps who meets the essential eligibility requirements for participation in, or receipt of benefits from, that program or activity.

Ranking preference. A preference used by the PHA to select among applicant families that qualify for a preference.

Reasonable Rent. A rent to owner that is not more than either:

- (1) Rent charged for comparable units in the private unassisted market; or
- (2) Rent charged by the owner for a comparable assisted or unassisted unit in the building or premises.

Remaining Family Member. A member of a family listed on the lease who continues to live in an assisted unit after all other family members have left. Live-in-aid is specifically excluded from qualifying as a remaining member of the family unless their name has been included on the lease and any income included for rent calculation purposes. Any remaining family members that are minors must have an adult (over the age of 18 years) that qualifies under the selection criteria listed herein.

Rent. See Tenant Rent and Total Tenant Payment.

Rental certificate. Certificate.

Rental certificate program. Certificate program.

Rental voucher. Voucher.

Rental voucher program. Voucher program.

Residency preference. A PHA preference for admission of families that reside anywhere in a specified area, including families with a member who works or has been hired to work in the area ("residency preference

area").

Residency preference area. The specified area where families must reside to qualify for a residency preference.

Responsible Entity: (1) For the public housing program, the Section 8 tenant-based assistance program and the Section 8 project-based certificate or voucher programs and the Section 8 moderate rehabilitation program, responsible entity means the PHA administering the program under an ACC with HUD; (2) For all other Section 8 programs, responsible entity means the Section 8 project owner.

Service Requirement. Except for any family member who is an exempt individual, each adult resident of public housing must: (1) Contribute 8 hours per month of community service (not including political activities); or (2) Participate in an economic self-sufficiency program for 8 hours per month; or (3) Perform 8 hours per month of combined activities as described in paragraphs (1) and (2) of this section.

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

Special admission. Admission of an applicant that is not on the PHA waiting list or without considering the applicant's waiting list position.

Specified Welfare Benefit Reduction. (1) A reduction of welfare benefits by the welfare agency, in whole or in part, for a family member, as determined by the welfare agency, because of fraud by a family member in connection with the welfare program; or because of welfare agency sanction against a family member for noncompliance with a welfare agency requirement to participate in an economic self-sufficiency program. (2) "Specified welfare benefit reduction" does not include a reduction or termination of welfare benefits by the welfare agency: (i) at expiration of a lifetime or other time limit on the payment of welfare benefits; (ii) because a family member is not able to obtain employment, even though the family member has complied with welfare economic self-sufficiency or work activities requirements; or (iii) because a family member has not complied with other welfare agency requirements. (See Imputed welfare income and HUD regulations Section 5.615 (c) for determination requirements for imputed welfare income.)

Spouse. Spouse refers to the marriage partner, either a husband or wife, who is someone you need to divorce in order to dissolve the relationship. It includes the partner in a common law marriage. It does not cover boyfriends, girlfriends, significant others, or "co-heads." "Co-head" is a term recognized by some HUD programs, but not by public and Indian housing programs.

Standard, permanent replacement housing. Decent, safe and sanitary housing, adequate for the family size, and housing that the family is occupying pursuant to a lease or occupancy agreement. Standard, permanent replacement housing does not include transient facilities (such as motels, hotels, or temporary shelters); or in cases of domestic violence, the housing unit in which the applicant, and the applicant's spouse or other member of the household who engages in such violence, live.

State Landlord and Tenant Act. Any state statute or local ordinance which imposes obligations on a landlord and tenant in connection with the occupancy of a dwelling unit and surrounding premises and which provides that violations of such obligations by the tenant constitute grounds for eviction.

SWICA. State Wage Income Collection Agency.

Tenant-based. Rental assistance that is not attached to the structure.

Tenant rent. The amount payable monthly by the family as rent to an unit owner (including a PHA). Where all utilities (except telephone) and other essential housing services are supplied by the PHA, Tenant Rent equals Total Tenant Payment. Where some or all utilities (except telephone) and other essential housing services are not supplied by the PHA and the cost thereof is not included in the amount paid as rent, Tenant Rent equals Total Tenant Payment less the utility allowance. Total tenant payment does not include charges for excess utility consumption or other miscellaneous charges.

Total Tenant Payment. Total income-based tenant payment shall be **the highest** of the following, rounded to the nearest dollar:

- (1) Thirty percent (30%) of the monthly adjusted income;
- (2) Ten percent (10%) of monthly income;
- (3) Minimum rent as set by PHA from \$0 to \$50.00;
- (4) Ceiling rent as set by PHA for Public Housing;

OR

- (5) Flat rent as set by PHA for Public Housing.

Unit. Dwelling unit.

United States Housing Act of 1937. (1937 Housing Act). The basic law that authorizes the public and Indian housing programs, and the Section 8 programs. (42 U.S.C. 1437 et seq.).

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 or approved by a PHA or HUD, under 24 CFR 5, of the monthly cost of a reasonable consumption of such utilities and other services (excluding any allowance for air-conditioning as required by HUD) for the unit by an energy-conservation household of modest circumstances consistent with the requirements of a safe, sanitary, and healthful living environment.

Utility reimbursement. The amount, if any, by which the utility allowance for the unit, if applicable, exceeds the Total Tenant Payment for the family occupying the unit. (This definition is not used in the Section 8 Voucher program, or for a public housing family that is paying a flat rent.)

Very low-income family. A family whose annual income does not exceed 50 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families. HUD may establish very low-income limits higher or lower than 50 percent of the median income for the area on the basis of its finding that such variations are necessary because of unusually high or low family incomes.

Violent Activity. Any behavior or activity exerted or displayed so as to cause damage, abuse, intimidation or injury; vehemence of feeling or expression or rough, aggressive action.

Violent activity or violent criminal activity. Any criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage.

Waiting list admission. An admission from the PHA waiting list.

Welfare assistance. Welfare or other payments to families or individuals, based on need, that are made under programs funded, separately or jointly, by Federal, State or local governments.

Welfare assistance. (for purposes of the FSS program only) income assistance from Federal or State welfare programs, and includes only cash maintenance payments designed to meet a family's ongoing basic needs. Welfare assistance **does not include:** (1) Nonrecurrent, short-term benefits that: (i) Are designed to deal with a specific crisis situation or episode of need; (ii) Are not intended to meet recurrent or ongoing needs; and (iii) Will not extend beyond four months. (2) Work subsidies {i.e., payments to employers or third parties to help cover the costs of employee wages, benefits, supervision, and training}; (3) Supportive services such as child care and transportation provided to families who are employed; (4) Refundable earned income tax credits; (5) Contributions to, and distributions from, Individual Development Accounts under TANF; (6) Services such as counseling, case management, peer support, child care information and referral, transitional services, job retention, job advancement and other employment-related services that do not provide basic income support; (7) Transportation benefits provided under a Job Access or Reverse Commute project to an individual who is not otherwise receiving assistance; (8) Amounts solely directed to meeting housing expenses; (9) Amounts for health care; (10) Food stamps and emergency rental and utilities assistance; and (11) SSI, SSDI, or Social Security.

Work Activities. See definition at section 407(d) of the Social Security Act (42 U.S.C. 607(d)).

Working Family: Working, in this definition, will include head of household or spouse who receives SSI or social security benefits, retired persons with pensions, or the head of household or spouse is working a minimum of 20 hours per week at no less than the current minimum wage (or has the equivalent **earned** gross monthly income to the household) and has had that income for at least one year. (i.e., Minimum wage at $\$5.85 \times 20 \times 52 = \$6,084.00$ or \$507 monthly gross income.)

* The term *handicapped* appears in a number of regulatory definitions that have not yet been updated to reflect current statutes. In this handbook, HUD replaced *handicapped* with the term *disabled, disability, or impairment* to reflect current statutes. The parenthetical reference to handicapped indicates that the term *handicapped* has been replaced with disabled, disability, or impairment in that definition.

Additional definitions may also be found in the *Public Housing Occupancy Guidebook, HUD Handbook 4350.3: Occupancy Requirements of Subsidized Multifamily Housing Programs, the Housing Choice Voucher Program Guidebook and the Code of Federal Regulations, Title 24: Housing and Urban Development.*

Any time this policy differs from the *HUD Handbook 4350.3: Occupancy Requirements of Subsidized Multifamily Housing Programs* regarding administration of Eastside Homes, the *4350.3* shall take precedence over this administrative policy. The *4350.3* may also be used for clarification and reference purposes in addition to HUD's *Public Housing Occupancy Guidebook* in the administration of housing programs.

VII. FAIR HOUSING AND EQUAL OPPORTUNITY HOUSING POLICY

A. Fair Housing

In accordance with the following regulations, the PHA will not on account of race, color, creed, sex, disability status, familial status, or national or ethnic origin deny to any family the opportunity to apply or receive housing assistance. Selections will be made in accordance with the applicable requirements included herein.

1. Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the implementing regulations 24 CFR Part 1 and Title VIII of the Civil Rights Act of 1968, as amended;

2. The Fair Housing Act (42 U.S.C. 3601-3619) and the implementing regulations at 24 CFR parts 100, 108, 109 and 110.

3. Executive Order 11063 on Equal Opportunity in Housing (1962), as amended, Executive Order 12259, 46 FR 1253 (1980), as amended, Executive Order 12892, 59 FR 2939 (1994) (implementing regulations at 24 CFR part 107).

4. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and the implementing regulations at 24 CFR Part 8;

5. The Age Discrimination Act of 1975 (42 U.S.C. 6101-6107) and the implementing regulations at 24 CFR Part 146; and

6. Title II of the Americans with Disabilities Act (42 U.S.C. 12101-12213) to the extent applicable.

Selections will be made in accordance with the selection criteria consistent with HUD's affirmative fair housing objectives and are included herein.

The PHA will post on the applicant/resident information bulletin board the telephone number for the HUD Office of Fair Housing and Equal Opportunity (FHEO) toll-free hotline - (800-669-9777) or TDD/TTY NUMBER, 1-800-927-9275.

B. Equal Opportunity Housing Plan

In addition to the Fair Housing and Equal Opportunity Housing efforts specifically indicated throughout this policy the PHA will affirmatively further fair housing goals and comply with equal opportunity requirements by the following actions:

1. By adoption of this policy, compliance by the Housing Authority with all fair housing and equal opportunity regulations and requirements, is certified.

2. Encouraging owners to make suitable units located outside areas of poverty or racial concentration available for leasing in the program to provide participants with the broadest geographical choice in selection.

3. Provide available information and assist any applicants and/or participants if they believe discrimination has occurred to include provision of a Housing Discrimination Complaint form (HUD-903).

4. Recruitment and equal opportunity employment practices will be utilized to attract and recruit qualified minority applicants for any vacancies.

C. Reasonable Accommodation

The PHA will include procedures in the application, reexamination, interview, and eviction process to ensure that applicants and/or participants are aware of their opportunity to request reasonable accommodations. Should any applicant or participant indicate the need for reasonable accommodations, the PHA will make available to them a Request for Reasonable Accommodation form. It is the policy of the PHA to make every effort possible to provide reasonable accommodations for persons with disabilities when such requests are reasonable, economically, financially and administratively feasible

The HA will utilize reasonable accommodations practices for any applications received by disabled individuals especially those involving sight or hearing impaired applicants.

The HA will not remove names from the waiting list that would violate the rights of a disabled, mobility impaired, or hearing impaired person. Reasonable accommodations for application or updates will be provided to disabled (mobility impaired or hearing impaired) applicants.

Any and all decisions granting or denying requests for reasonable accommodations will be in writing.

VIII. APPLICATIONS AND ELIGIBILITY

A. Applications

Applications must be made in person at the Rock Hill PHA's office on the dates posted or announced, unless the waiting list is closed. Applications may be made in person at the Great Falls office on the dates posted or announced, unless the waiting list is closed. Accommodations for elderly or disabled (mobility or hearing impaired) individuals will be made, e.g., use of Power of Attorney authorizations or by special appointment. An interpreter may be made available upon request for non-English speaking applicants; a special appointment agreeable to all parties will be then be scheduled. Applications will not be mailed to potential applicants unless a reasonable accommodation is requested for those with verified disability.

Applications will be accepted from all applicants age 18 and over; names of eligible approved applicants will be placed on the waiting list by date and time of application and local preferences. A non-refundable application fee, not to exceed \$20.00 per application, may be charged to all applicants prior to accepting an application for processing. The fee would allow applicants to apply for any program with an open wait list at the time the application is taken. The application fee would be collected with the pre-application for the Section 8 HCV Rental Assistance Program and with the formal application for the public housing program. Applicants will be given general information concerning the housing assistance program at the initial application time. At the time that PHA is selecting applicants from the waiting list to receive assistance, applications will be updated, information verified to determine continued eligibility, and selections will be made based on the selection criteria outlined later in this Plan.

Applicants are responsible for keeping application information current at all times; any correspondence that is mailed to the address on file and returned as undeliverable will cause the application to be placed inactive due to negligence on the part of the applicant. Applicants who fail to provide requested information or documentation within the required timeframe will also be placed inactive. Position on the waiting list will change upon proper notification or verification (if required.)

Any unreported change (discovered during a verification update or at time of an offer) where an applicant failed to provide the required update that causes a change in position on any wait list will be made effective immediately; Housing Authority staff will advise the applicant if the unreported information has changed his/her position on the waiting list and the offer of assistance will go to the next applicant on the list whose information is current.

Residency for Eastside Homes will be selected from the Public Housing Waiting List; any time this policy differs from the *HUD Handbook 4350.3: Occupancy Requirements of Subsidized Multifamily Housing Programs* regarding administration of Eastside Homes, the *4350.3* shall take precedence over this administrative policy. The *4350.3* may also be used for clarification and reference purposes in conjunction with HUD's *Public Housing Occupancy Guidebook* in the administration of housing programs.

At the time that PHA is selecting applicants from the waiting list to receive assistance, applications will be updated and information verified to determine continued eligibility, and selections will be made based on the selection criteria outlined later in this Plan. Applicants who fail to keep application information updated and a preference change occurs will be changed to the proper position on the waiting list and assistance will be offered to the next applicant on the list whose information is up to date.

The PHA will utilize reasonable accommodations practices for any applications received by persons with disabilities especially those involving sight or hearing impaired applicants or to overcome language barriers. A Telecommunication Device for the Deaf (TDD: 803-324-2720) will be made available for hearing impaired applicants or the applicant may communicate with the Applications Coordinator by e-mail: applications@rhha.org.

Each applicant (family) will be screened and evaluated based on landlord references and rental history, credit record, police records, history of any drug-related, alcohol or substance abuse, owing a balance to a HUD-assisted agency, suitability/ability to live in a public housing complex and ability to abide by the dwelling lease, PHA policies and HUD requirements.

B. Eligibility Requirements

1. Applicants must be a citizen or national of the U.S. or an eligible, qualified noncitizen (see Definitions, Section V of this plan or guideline listed in the Public Housing Occupancy Guidebook) in accordance with HUD Regulations. Prior to admission, all citizens and nationals will be required to sign a declaration of Section 214 Status under penalties of perjury; families may be determined ineligible if not all family members are eligible or qualified noncitizens. Program participants must be income eligible based on gross income (see Attachment 1 for income inclusions and exclusions) that is below HUD's published extremely low, very-low or low income limits. Low-income families can be admitted to communities that reached Date of Full Availability (DOFA) before October 1, 1981, and to assist the PHA with vacancy problems, commitment to attaining a broad range of incomes, or avoiding displacement in a complex acquired by the PHA.

2. PHAs with fewer than 250 total public housing units may, if there are no eligible families on the waiting list and after advertising (30 day notice), offer units to families above applicable income limits.

3. The PHA will determine the income eligibility by comparing the family's annual gross income to the HUD-established very low or low-income limit for the area. The applicable income limit for selection purposes is the highest income limit for the family unit size for the areas in the housing authority's jurisdictions.

4. Head-of-Household applicants must be 18 years of age or older to be eligible for assistance. Due to time constraints of staff, the Housing Authority reserves the right to refuse taking applications until all adults age 18 and over can be present at the same time.

5. Past participants in the Section 8 program and/or former Public Housing residents of any PHA who failed to satisfy liability to a PHA for unpaid rent, damages or other amounts due under the lease, or any past participant in any Federal program who owes a balance in connection with HUD assistance or who committed fraud may be denied the opportunity to apply for housing assistance until all unpaid amounts are paid in full.

The PHA reserves the right to deny housing assistance to any applicant because of any negative actions during a previous tenancy.

6. As a part of eligibility and/or continued assistance, the PHA will enforce HUD's "One Strike, You're Out" procedures. Criminal background checks (to include all adult family members and live-in-aides) will be done by either obtaining copies of records or requiring the family to furnish such copies of criminal records. For all residents selected for Eastside Homes, the file must include verification that sex-offender registration has been checked for every state where the applicant has resided.

The PHA may deny admission to any applicant whose screening results indicate that they or any member of the family may have a detrimental effect on the community or conducts or has conducted any activity (including any criminal activity, violent activity, alcohol or drug/substance use, possession or distribution or related criminal activity, the manufacturing of Methamphetamine (speed), or sex offense activity) that may affect the health, safety, or right to peaceful enjoyment of the premises of other tenants or compromise program integrity that could lead to a diminished demand for assisted housing by families who will adhere to lease responsibilities. Consideration shall be given to the nature, extent, and elapsed

time of the applicant's conduct and to the probability of favorable future conduct. Such detrimental effects may include but are not limited to the following:

- a. The PHA will determine an application ineligible if any member of the family is a person who was arrested or charged or evicted because of drug-related criminal activity. Consideration will be given by the PHA in determining denials or terminations of assistance for such use or possession by a family member, if the family member can demonstrate that he or she: (1) has an addiction to a controlled substance, has a record of such impairment, or is regarded as having such impairment; and (2) is recovering, or has recovered from, such addiction and does not currently use or possess controlled substances. The PHA may require a family member who has engaged in the illegal use, possession or distribution of drugs to submit evidence or participation in, or successful completion of, a treatment program as a condition to being allowed to reside in the unit, and may require supporting evidence that the individual has remained drug-free for a substantial period of time (to be determined by the PHA). The PHA reserves the right to deny eligibility if there is reasonable doubt of the rehabilitation in order to protect the health, safety or right to peaceful enjoyment of the premises by other residents or PHA staff. Any applicant that has a family member who has a lifetime registration under a State Sex Offender Registration program or has been charged, arrested or convicted for manufacturing or producing methamphetamine (speed), arrested, charged or convicted of rape, arson or murder may be denied eligibility for life.
- b. Police records, destruction of property, drug-related/substance use or abuse, possession or distribution, alcohol use or abuse, or any type sexual misconduct or any applicant who has been charged with any Level 1 or Level 2 crimes (felonies, misdemeanors, etc.) may be denied the privilege of applying for housing for five years from the date of arrest, conviction or release from a correctional institution and may be denied eligibility for life.
- c. A record of past poor living habits or poor housekeeping habits, including damage to property, landlord reports of disturbances or other complaints concerning the family, habitual late payment of rent or failure to pay other charges due under the lease, owing a balance to a current or former landlord or any other activity that may compromise program integrity or lead to a diminished demand for housing assistance.
- d. Any other activity that could adversely affect the safety and welfare of other public housing residents.

- e. Credit history including unpaid utility bills, bankruptcy, property liens or damage claims.
- f. Arrest or conviction of any applicant for rape, drug-related charges, arson or murder will be a permanent denial of assistance.
- g. Applicant or any member of applicant's family has previously damaged or abused rental property or former residence has been damaged or destroyed by fire caused by any member of the family.
- h. Anyone currently abusing alcohol or other substance to the point where management determines that there is a reasonable cause to believe that the abuse will interfere with the health, safety or welfare of other residents or compromise program integrity or lead to a diminished demand for housing assistance.
- i. Any applicant providing false, incomplete or inaccurate information at the time of application will immediately be determined ineligible for assistance; fraud or misrepresentation of information is grounds for denial or termination of housing assistance at any time the misrepresentation is discovered.

7. Family Composition

- a. A family may be a single person or a group of persons consisting of two or more elderly persons or disabled persons living together, or one or more elderly or disabled persons living with one or more live-in-aides is a family (see Definition of live-in-aide). Family is also defined as one or more persons related by blood, marriage or operation of the law, one of whom shall be an adult (age 18 or older) who will live regularly together in the unit (including foster children), or persons who can verify a stable relationship, e.g., common law marriages as recognized by the State of South Carolina, or a relationship that has existed for a reasonable period of time (one year or more). Any other relationship or duration of relationship would need to be approved by the Executive Director.
- b. A family includes a family with a child or children.
- c. A single person may be:
 - i. An elderly person.
 - ii. A displaced person.
 - iii. A disabled person.

- iv. A single, pregnant female (physician certification may be required).
- v. Any other single person.

d. Dependents must meet the HUD definition of dependent, have evidence of the family's residence as their legal residence, and/or in cases where the head-of-household is in the process of obtaining custody and/or adopting an individual under the age of 18, guardianship documentation or evidence of reasonable likelihood of success must be provided. Copies of tax returns that indicate the "claiming" of a dependent may be required. A child who is temporarily (less than 90 days) away from the home because of placement in foster care is considered a member of the family. In cases of joint custody arrangements, the child/children can be considered a member of the family if the applicant or family has continuous custody for more than six (6) months of the year.

e. A family may be remaining family members provided that the person(s) are not minors, that the children have not been removed from the home because of abuse or neglect, that the resuming Head of Household was not the perpetrator of spousal abuse, and that the resuming Head-of-household meets the PHA selection criteria and would be a responsible participant of the program. This includes a single female whose pregnancy is terminated after admission. Any remaining family members that are minors must have an adult (over the age of 18 years) that qualifies under the selection criteria listed herein and the adult must provide legal guardianship documentation in order to be designated as a Head-of-household. This determination shall be made at the discretion of management and will be made based on the history of responsible participation in the program. A temporary Head-of-household designation can in no way be construed as a permanent Head-of-household.

8. Eligibility screening may include, when deemed necessary, an applicant's capability of abiding by the terms of the lease as determined by the PHA (taking into consideration any resources available in support of the applicant family). If the applicant (family) is currently living in a setting that does not require compliance with lease terms comparable to the lease used by the PHA (living with family, living in a shelter, etc.), staff may send the *Verification of Ability to Comply with Lease Terms* form to the housing provider. Staff may also complete the Checklist: Ability to Comply With Lease Terms. Applicant must demonstrate or have demonstrated the ability to comply with lease terms in a former tenancy or other living accommodations.

IX. WAITING LIST ADMINISTRATION, VERIFICATION REQUIREMENTS, AND INELIGIBILITY/DENIALS

A. Waiting List Administration for Public Housing and Eastside Homes

1. The PHA must select participants in accordance with this policy, adhere to the Fair Housing and Equal Opportunity regulations, and meet HUD targeting and deconcentration requirements. The waiting list must contain the following for each applicant: Applicant name; City and/or County designation; family unit size (number of bedrooms for which family qualifies under PHA occupancy standards); date and time of application; qualification for any preference; and racial or ethnic designation of the head of household and family members.

2. The waiting lists will be purged and updated periodically and names will be removed from the waiting list for failure to respond to requests for information, application updates (failure to notify the PHA of a change of address), or if correspondence is returned from the Post Office. If the applicant did not notify the PHA of a move as required, the PHA will not be responsible for the applicant's failure to receive the updated request. If the letter is returned by the Post Office with a forwarding address noted, the PHA may resend the letter. Applicants will be given no less than five (5) working days to return the notice of continued interest to the Housing Authority.

The PHA will utilize reasonable accommodations practices for any applications received by disabled individuals. The PHA will not remove names from the waiting list that would violate the rights of a disabled, mobility impaired, or hearing impaired person.

3. The PHA will maintain its waiting lists according to bedroom sizes and the order of admission from the waiting list will be based on family size or the unit size for which the family qualified under the PHA occupancy policy. Selections will be made as indicated in Section X of this plan. Should the PHA receive funding for a specified category of families, the PHA must select applicant families in the specified category.

4. A separate waiting list will be maintained for Public Housing and the Section 8 program. If the waiting list for the Section 8 or Public Housing program is open, applicants must be offered the opportunity to have their name placed on either list. The PHA will not remove the applicants' name from other waiting lists unless the applicant has made a request to remove their name (in writing), or in the event of failure to respond as indicated above.

5. The waiting list may be closed to new applications when it is determined that there is an adequate pool of applicants and is so large that the applicants are not likely to be housed in a reasonable length of time (more than one year).

6. Reopening of the waiting list will be by public notice in a local newspaper of general circulation and minority media indicating that families may apply for housing assistance. The notice will comply with the HUD-approved Equal Opportunity plan and with HUD Fair Housing requirements. The notice will state any limitations on who may apply for available slots in the program. The PHA may advertise for specific types of applicants such as those qualifying for a preference and may include in the advertisement that applications from others (not in these categories) will not be accepted.

B. Verification Requirements

1. Income and deductions will be verified by third-party verification or the PHA must document in the file why third party verification was not available. Verification forms will be sent by mail or fax to the appropriate third party with a request that the form be returned by mail or fax. In the event that verification is not possible due to unwillingness by source to respond or that the information is not returned within a two-week period, staff will be required to note the file accordingly and attempt to obtain third-party oral verification. Staff will annotate the file for telephone verifications. Notarized statements will be used as a last resort.

2. The PHA will make every attempt not to utilize verifications that are greater than 120 days old.

3. Social Security number verifications are mandatory for all program participants. Acceptable verification includes: valid social security cards; an identification card issued by a Federal, State or local agency, employer; medical insurance agency; earning statements from employment; IRS form 1099; or benefit award letters from government agencies. See Section V in the event of failure to provide requested SSN verification.

4. Copies of birth certificates or other documentation as required by the PHA for all family members must be made available. Birth certificates must be provided for all members of the family under age 18; birth certificates or appropriate legal documents listing parents names may be required to prove dependency, a valid driver's license or pictured identification issued by Department of Motor Vehicles can be accepted as date-of-birth verification if a birth certificate is not obtainable for adults over age 18. A picture ID is required for all persons ages 18 and over.

Certification of citizenship forms must be executed by participants of the program.

SELF-EMPLOYED APPLICANTS/RESIDENTS/PARTICIPANTS

Self-employed individuals present an unusual set of circumstances; third-party verification is often difficult to obtain and even basic income information is sometimes lacking. These are basic requirements relative to self-employed applicants, residents and participants.

Self-Employed Income:

For household members with self-owned businesses, the following must be included as income:

- Salaries paid to adult household members. Note that this may show up on a business tax as “wages/salaries.” Cash or assets withdrawn by any household members. (Do not count amounts withdrawn as reimbursement for cash or assets previously invested in the business.)
- Net income from the business. This is gross income minus business expenses (e.g., rent, salaries paid to non-household members, cost of materials or supplies, utilities, insurance, taxes, and depreciation computed on a straight line basis.) Do not deduct expenses for business expansion or capital improvements. The principal payments on loans for these purposes also may not be deducted. Interest payments on loans for expansion or capital improvements may be deducted, but interest payments on other business loans may not be deducted.

Verification of Self-employment Income:

Existing Residents: For residents who are recertifying and who started their business after initial occupancy, follow the HUD requirements for verifying self-employment income:

1. Obtain a Self-Employment Affidavit from the resident stating what they anticipate their self-employment income will be for the 12 months following certification. The statement should be backed up with one of the following, listed in order of preference:
 - a. Federal tax return, including supporting schedules (Schedule C for most businesses; Schedule E for rental property, partnerships and S Corporations; Schedule F for Farm Properties). Note: be sure the tax return is legitimate. Rather than accepting a self-prepared tax return, have the resident obtain a copy of the IRS transcript of the return. They may call

- 1-800-1040 and a free transcript will be mailed to them within 10 days.)
- b. A copy of the businesses audited or unaudited financial statement.
 - c. Copy of bank loan application that lists income from the business during the past 12 months.
 - d. Notarized letters from clients stating how much is paid to the resident/participant/applicant.

New Applicants

In working with self-employed applicants, there is no reduction in management's responsibility to document income eligibility. If adequate documentation cannot be obtained, the application for occupancy should be denied. Any applicant who self-employed must be able to provide at least two business tax returns from the same business so that management will have a reasonable basis for an income projection, or at a minimum, one Federal Tax Return with supporting schedules. The Executive Director or designee must approve any special circumstances.

C. Ineligibility and Denial of Assistance

The application will be reviewed and any ineligible applicants will be promptly notified in writing. The notice will provide the reason for the decision and an opportunity to request an informal review of the decision as specified in this plan and in accordance with 24 CFR Chapter IX.

Past participants in the Section 8 program and/or former Public Housing residents of any PHA who failed to satisfy liability to a PHA for unpaid rent or other amounts due under the lease, or any past participant in any Federal program that has committed any fraud, may be denied housing assistance until all unpaid amounts are paid in full. The PHA reserves the right to deny housing assistance to any applicant because of any negative actions during a previous tenancy with any Housing Authority or other landlord.

Persons with disabilities will be informed of the reasons for rejections and/or terminations of assistance and will be informed in "plain" language of an opportunity to claim mitigating circumstances. The PHA retains the right to require additional information reasonably needed to verify such mitigating circumstances, and refer such information to persons qualified to evaluate evidence and verify the mitigating circumstances. Such inquiries will be limited to the information necessary to verify a reasonable accommodation. Physician's statements may be required including appropriate tests to determine applicant's ability to care for the unit without risking the health and safety of other residents, including the ability to maintain sanitary living conditions and abide by the Dwelling Lease and other policies, rules and regulations.

The PHA will enforce HUD's "One Strike, You're Out" procedures and will deny admission to any applicant whose screening results indicate that they or any member of their family may have a detrimental effect on other tenants or on the public housing community or who may compromise the integrity of the program or if indications are present that the applicant/family would not be lease-abiding. Consideration shall be given to the nature, extent, and elapsed time of the applicant's conduct and to the probability of favorable future conduct. Such detrimental effects may include but are not limited to the following:

1. The PHA will determine an applicant ineligible or deny admission when screening results indicate that:

a. They or any member of the family is a person who was arrested, charged or evicted as a result of a drug/substance abuse, use, possession or distribution or related criminal activity from housing assisted under a 1937 Housing Act program.

b. Any family member who has a lifetime registration under a State Sex Offender Registration program or has been convicted of manufacturing or dealing drugs or producing methamphetamine (speed) or arson will be denied eligibility for life.

c. They or any member of the family may have a detrimental effect on the community or conducts or has conducted any activity that may affect the health, safety, or right to peaceful enjoyment of the premises by other tenants.

d. Consideration shall be given to the nature, extent, and elapsed time of the applicant's conduct, probability of favorable future conduct, if the family member can demonstrate that he or she: (1) has an addiction to a controlled substance, has a record of such impairment, or is regarded as having such impairment; and (2) is recovering, or has recovered from, such addiction and does not currently use or possess controlled substances. The PHA may require a family member who has engaged in the illegal use of drugs to submit evidence of participation in, or successful completion of, a treatment program as a condition to being allowed to reside in the unit, and may require supporting evidence that the individual has remained drug-free for a substantial period of time (to be determined by the PHA). The PHA reserves the right to deny eligibility if there is reasonable doubt of the rehabilitation in order to protect the health, safety and/or right to peaceful enjoyment of the premises by other residents or PHA staff.

2. Police records, landlord reports of disturbances, destruction of property, or drug-related/substance use, possession or distribution or any such abuse activities. A person will be denied eligibility if there is a pattern of abuse of alcohol that may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents or if integrity of the program may be compromised.
3. A record of poor living habits, poor housekeeping habits or any other practice or habit that may reasonably be expected to have a detrimental effect on other residents, the project environment or that may compromise the integrity of the program. The PHA may deny assistance to any applicant who has previously been terminated for lease/contract violations or violations of family obligations during a previous period of assistance with a PHA or HUD-assisted agency or other landlord.
4. Any other activity that could adversely affect the safety and welfare of other public housing residents or cause a diminished demand for public housing.
5. Credit history including unpaid utility bills or amounts owed to other landlords.
6. Any misrepresentation of applicant's information or refusal by applicant to provide information (such as failure to provide absent parent verification, required mailing addresses, etc.) will be considered grounds for denial of program participation or termination of assistance. Any applicant providing false, incomplete or inaccurate information at the time of application will immediately be determined ineligible for assistance; fraud or misrepresentation of information is grounds for denial or termination of housing assistance at any time the misrepresentation is discovered.

Applicants found ineligible or who are disqualified from the program may reapply for assistance after one year from the date of disqualification or ineligibility provided that the wait list is open for applications at that time.

X. TENANT SELECTIONS, ASSIGNMENTS AND EXCEPTIONS FOR PUBLIC HOUSING AND EASTIDE HOMES

Selections will be made in a non-discriminatory manner to assure a broad range of incomes and meet HUD's deconcentration requirements within each community, meet HUD's targeting requirements, maintain the financial stability of the community, promote the health, safety and welfare of other residents, and avoid concentration of the most economically deprived families.

The PHA will not reject an applicant because of any disability or for any reason that could be overcome by reasonable accommodation of the applicant's disability. The PHA retains the right to reject applicants if, with the provisions of reasonable accommodation, essential program requirements cannot be met. Reasonable accommodation may not cause undue financial and/or administrative burdens or require an alteration in the fundamental nature of the PHA's housing units. In the event that some form of service (not available to other residents) is necessary for compliance with the lease, the applicant/family with the disability will be required to provide documentation that the service will be provided by others at no cost to the PHA.

The PHA will utilize a two-offer plan in offering a suitable unit to an applicant family. Units at the location containing the most vacancies will be offered when the PHA has more than one vacant unit of the same size and type. The unit that has been vacant the longest will be offered first; however, the PHA may offer another unit of the same size and type with less vacancy days in accordance with Maintenance scheduling and estimated completion dates of the unit. If the first offer is refused, the applicant's name will be dropped to the bottom of the waiting list; when the second offer is refused, the applicant's name will be removed from the waiting list. The Executive Director may make exceptions to the two-offer policy in extenuating circumstances that would result in a hardship to the applicant and/or family.

The first and primary contact will be by phone if a phone contact is available for an applicant. The Asset Manager will call the number provided in the application and contact or leave a message for the applicant. Once contacted the applicant will have one business day (24 hours) to respond to the Asset Manager. If the applicant does not respond within the one business day, the contact will be considered as a declination and will count as one offer and the unit will be offered to the next available applicant. If a phone contact is not available, then the Asset Manager will mail a letter to the applicant, the applicant will have no less than forty-eight (48) hours to respond to the Asset Manager concerning the offer/update. The 48 hours will begin 24 hours after mailing for a local address and 48 hours for an out of area address and only mailing days will be counted. Applications will be placed inactive if the applicant fails to respond within the specified time; the applicant

may reapply for assistance one year from the date the application is placed inactive provided that applications are being taken at that time.

Applicants who have rejected two offers will not be eligible to reapply for assistance for a minimum of one year, provided that applications are being accepted at that time.

Once an offer has been made, a family will be given no more than twenty-four (24) hours in which to accept or reject the offer. The family will pay a non-refundable security deposit of \$25.00, which is required to hold the unit for the family and determine acceptance of the unit. The remainder of the security deposit and first month's rent is due and payable at lease-up. The PHA may grant additional time to pay a security deposit in unusual circumstances. Applicants who have a disability preference and have indicated "ground floor only" on the initial application or who have rejected second-story units due to documented health reasons can be skipped on the waiting list if the unit available is not a ground floor unit.

The PHA may adopt and use a local preference based on income ranges in order to comply with required new admissions income targeting requirements. The Executive Director may direct that admissions be adjusted to meet required targeting requirements for any period necessary to meet the mandated targets.

A. Selections

Offers for housing assistance will be taken from the waiting list as follows based on the priority order and having the oldest date and time of application (* see below):

(1) Applicants that have a local preference as designated by the PHA in either of the following categories:

Preference	Description	Score
1	Non-Assisted Rock Hill Elderly/Near-Elderly/Disabled/Displaced/Veterans With Income	12
2	Non-Assisted Rock Hill Elderly/Near-Elderly/Disabled/Displaced/Veterans Without Income	11
3	Non-Assisted Out-Of-Town Elderly/Near-Elderly/Disabled/Displaced/Veterans With Income	10
4	Non-Assisted Out-Of-Town Elderly/Near-Elderly/Disabled/Displaced/Veterans Without Income	9
5	Non-Assisted Rock Hill Working Families (see Definitions)	8
6	Non-Assisted Rock Hill Not Working Families	7
7	Non-Assisted Out-Of-Town Working Families	6
8	Non-Assisted Out-Of-Town Not Working Families	5
9	Assisted Rock Hill Elderly/Near-Elderly/Disabled/Displaced Veterans	4
10	Assisted Out-Of-Town Elderly/Near-Elderly/Disabled/Displaced/Veterans	3
11	Other Assisted Rock Hill families by date and time	2
12	Other Assisted Out-Of-Town families by date and time	1

(2) All others by the oldest date and time of application. Individuals or families

receiving temporary or emergency housing or shelter that is of a duration of less than one year will not be considered as “assisted”.

Applicants who own a habitable dwelling within 30 miles of the City of Rock Hill, South Carolina (or the Town of Great Falls, South Carolina, for Great Falls applicants) and the dwelling is not up for sale and there are no extenuating circumstances that prevent the applicant from living in the home (victims of domestic violence, disputes over ownership) may not be approved for assistance or if approved, may be classified the same as an assisted applicant.

B. Exceptions to the Order of Selection:

The PHA reserves the right to offer special incentives and/or skip applicants in a non-discriminatory manner in order to meet HUD’s mandated targeting and deconcentration requirements for selection purposes or in the event that the Housing Authority is unable to maintain financial stability.

Applicants will be notified should the applicant be found to be ineligible for assistance, variance in the determination of bedroom size as indicated on the original application, or misrepresentation on the application. Applicants will be notified in writing of such determinations and given the opportunity to request an informal hearing within ten days. Applicant’s request for a hearing must be in writing and delivered to Management at its central office. Any appointment scheduled for an Applicant that is not kept or not rescheduled by the applicant 24 hours prior to the time of the arranged appointment will waive his/her right to a hearing, unless documentation is provided to prove that a verifiable emergency existed at the time of the missed appointment.

XI. APPLICATION UPDATES, OCCUPANCY STANDARDS, INCOME INCLUSIONS/DEDUCTIONS, INCOME CALCULATIONS, AND LEASE-UP

A. Application Updates:

Applicants may be given a written notice as his/her name nears the top of the waiting list to submit updated information and indicate their continued interest in public housing. If the updated information request is not returned within the specified time, the applicant's name will be dropped from the waiting list, the application will be placed inactive, and other selections will be made.

B. Occupancy standard/unit size will be determined at the time of enrollment based on the following criteria:

1. The smallest unit size consistent with program requirements and Housing Quality Standards to avoid under or over occupied units unless the PHA has significant vacancies in one or more communities.
2. The bedroom size assigned will not require more than two persons to occupy the same bedroom.
3. The PHA shall make every attempt to assign persons of different sex and generation separate bedrooms (other than husband and wife).
4. The PHA shall make every attempt not to require children to share a bedroom with a single parent.
5. Selection preference will be granted to elderly, near-elderly or disabled applicants for vacancies in housing complexes used by elderly or disabled families.
6. Bedroom size assignments may be made in accordance with HUD guidelines as follows:

No. Of Bedrooms	Minimum Person(s)	Maximum Person(s)*
0	1	2
1	1	2
2	2	4
3	3	6
4	4	8
5	5	10

Exceptions to these standards will be permitted for situations involving a live-in-aid, physician orders for separate bedrooms because of health problems, or permitted circumstances of family members temporarily away from the housing unit. The PHA reserves the right to approve or disapprove such accommodations that may lead to unsafe or overcrowded conditions. The Executive Director may approve exceptions based on vacancy rates and HUD occupancy level requirements. The PHA also reserves the right to assign only participants who qualify as elderly or near-elderly for vacancies in housing complexes used by elderly or disabled families.

Should the applicant refuse the first offer of assistance, the application will be so noted and his/her name will be placed at the bottom of the waiting list. The PHA reserves the right to waive any provision of this policy to meet emergency or hardship conditions, and such exceptions shall not be related to race, color, creed, sex, disability status, familial status or national origin.

A live-in-aid as defined in "Definitions" must be approved using the same criteria used for applicants, must abide by the same obligations and requirements as residents pertaining to the lease, plans and policies, and must sign a separate document that contains the terms and conditions of occupancy in the unit.

C. Income Inclusions, Exclusions and Deductions

Income inclusions, exclusions and deductions (as required and permitted by Federal Regulations) for rent calculation purposes are set forth in Attachment 1 of this plan.

To be eligible for EID, the qualifying event must occur after admission, or in other words, while the individual is residing in public housing or assisted housing. Pre-qualifying income is the income reported/certified just prior to the participant reporting the EID qualifying event. Unreported months (resulting from a loss of job not properly reported to the Housing Authority) will count towards the exclusion period.

NOTE: *Families whose welfare assistance is reduced specifically because of fraud or failure to participate in an economic self-sufficiency program or comply with a work activities requirement will not have their rent reduced based on the welfare benefit reduction (excludes persons that benefit is reduced due to a lifetime limit or where a family has complied with program requirements but cannot obtain employment). The PHA will obtain verification of such benefit reduction from the welfare agency. See 24 CFR 5.615 for specific HUD instructions on necessary calculations of imputed welfare income and specified welfare benefit reductions.*

Total tenant payment (gross family contribution) for rent will be in accordance with Federal Regulations, as follows:

Flat rent as set by the PHA (NOTE: No utility reimbursement is given for families choosing flat rents);

The PHA has elected not to establish Ceiling Rents.

OR

Income based rents for a total tenant payment (based on income) to be the highest of the following, rounded to the nearest dollar:

- (1) Thirty percent (30%) of the monthly adjusted income; or
- (2) Ten percent (10%) of monthly income; or
- (3) Minimum rent, if applicable and set by the PHA.
See also provisions for Minimum Rent Exceptions * indicated below.

*** MINIMUM RENT EXCEPTION**

Statutory provisions, Section 507:3(a)(3)(B) of the QHWRA, provide the following exceptions to the minimum rent requirements:

1. A family may request an exception (which must include reasonable documentation) to the minimum rent based upon temporary financial hardship due to the following circumstances:

- A. The family has lost eligibility for or is awaiting an eligibility determination for a Federal, State, or local assistance program;
- B. The family would be evicted as a result of the imposition of the minimum rent requirement;
- C. The income of the family has decreased because of changed circumstance, including loss of employment;
- D. A death in the family has occurred; and
- E. Other circumstances determined by the HA or HUD.

2. The HA shall immediately suspend or discontinue the family's requirement for payment of a minimum rent upon the family's request for hardship exemption and the suspension shall continue until a determination is made on whether the hardship exists and/or if the hardship is *temporary or long-term*.

3. If the HA determines that the hardship is *temporary*, the minimum rent remains imposed (including back payment for minimum rent from the time of suspension).

4. Should a family request and qualify for such exception after October 21, 1998 and the financial hardship occurred prior to adoption of this policy, the HA will reimburse the resident by providing a refund or otherwise offset future rent payments.

5. Should the HA determine that there is no hardship, a minimum rent is imposed retroactively to the time of the suspension. The HA must offer a reasonable repayment agreement for any back-payment due by the family. The family cannot be evicted for nonpayment during the 90-day period commencing on the date of the family's request for exemption of minimum rent in excess of the tenant rent otherwise payable.

**Note: The Housing Authority's minimum rent effective November 1, 2005 for the Public Housing Program is \$50.00 per month. The minimum rent may be increased up to the maximum or minimum rent allowed by the Department of Housing an Urban Development with the approval of the Executive Director and the provision of required notice to residents.*

D. Income Calculations

For families that have chosen income based rents, income will be based on the anticipated total income to the household from all sources (unless indicated on the Income Exclusions Attachment to this Policy) including net income derived from assets (actual and/or imputed) received by the participant family for the 12-month period following the effective date of initial determination or re-examination/re-certification or any subsequent ruling by HUD concerning Income Inclusions or Exclusions.

In the event that it is not feasible to anticipate income for a 12-month period, the PHA may use the annualized income anticipated for a shorter period of time, or in the event an anticipated amount cannot be determined (such as for temporary or seasonal employees) the income can be determined by using the previous 12-month period. See also section on self-employed applicants/residents/participants.

E. Lease-Up

Leasing appointments will be scheduled and applicants will be notified of the date and time. Should the applicant notify the PHA of their inability to be present at the enrollment session, the PHA will provide a rescheduled time; however, failure to notify the Housing Authority prior to the enrollment session (lease-up appointment) on the part of the applicant will result in removal from the waiting list and forfeiture of any monetary deposit and the application being placed inactive; applicants may reapply for assistance one year from the date of being placed inactive provided that the wait list is open for applications. As indicated in Section IX, Waiting List Administration, applicant names will be removed from the waiting list for failure to notify the PHA of a change of address.

All information including income, income from assets, eligible deductions, family composition, preference status (if applicable), and other screening information will be verified and reviewed prior to scheduling the briefing and enrollment (lease-up) appointment.

All applicants will execute and be given a Federal Privacy Act Notice. The information provided will not be otherwise disclosed or released outside of HUD, except as permitted or required by law. Failure by the applicant to provide any requested information may result in a delay or rejection of eligibility approval.

SELECTION OF FLAT RENT:

	0 B/R	1 B/R	2 B/R	3 B/R	4 B/R	5 B/R
WORKMAN STREET	\$400	\$400	\$450	\$500	\$600	
BOYD HILL		\$400	\$450	\$500	\$600	\$700
EASTWOOD/GORDON		\$400	\$450	\$500	\$600	
PENDLETON/ CONFEDERATE	\$400	\$400	\$450			
SOUTH WILSON			\$450	\$500	\$600	
ROCK/HAMPTON		\$400	\$450			
KEIGER STREET		\$425	\$475	\$550		
Market Rent: Eastside Homes (S8NC)	\$353	\$378				
GREAT FALLS, SC-PH		\$260	\$290	\$350	\$390	
GREAT FALLS, SC-Section 8		\$250	\$280	\$340	\$370	

XII. INSPECTIONS, HOUSING QUALITY STANDARDS, MAINTENANCE CHARGES

All housing units must have a move-in, move-out and at least an annual inspection. Units must pass the Housing Quality Standards/UPCS as set forth in the Federal Regulations.

A. Inspection Schedule

Annual inspections will be conducted for residents with acceptable housekeeping and no property damage/abuse problems. More frequent inspections may be conducted in the event of unacceptable housekeeping or property damage/abuse problems.

The asset management/maintenance teams will maintain an inspection schedule and will generate letters for inspections for all annual inspections and special inspections.

Notice of inspection letters will specify either a specific date or a range of dates during which the inspection may be completed. Normally a 48-hour notice will be provided to tenants unless an emergency exists in which case the authority may enter a unit at any time. A representative from maintenance and/or management will conduct inspections. The resident, if available, will be required to sign the completed inspection form and a copy of the inspection will be provided to the resident. The inspectors must indicate on the form when a resident was not available for signature.

B. Move-in and Move-out Inspections

Move-in and move-out inspections will be conducted in the presence of the resident (when possible). Residents will be required to sign the move-in or move-out inspection form when present.

C. Inspection Failures

Failed inspections due to poor housekeeping or resident abuse will require the following notices:

First inspection and notice - failed inspection items, and date of reinspection. Notice of housekeeping consultation date. Failure to correct deficiencies may result in lease termination.

Second reinspection and notice -failed inspection items. Thirty (30) day notice to vacate may be issued for failure to correct HQS deficiencies.

Residents failing two consecutive inspections or two inspections within a six-month period may be issued a thirty (30) day notice for violation of HQS.

D. Resident Abuse, Damages and Maintenance Charges

In the event of resident abuse to a unit, repairs will be made by maintenance and charges assessed to the resident according to the tenant charge schedule. When abuse is evident, a resident may be required to attend a scheduled conference in order to prevent lease termination. Repeated abuse will result in lease termination regardless of payment.

An installment agreement for payment of the charges may be allowed with the approval of the Executive Director or designee. Charges from a move-out inspection will be deducted from the resident's security deposit as indicated in Section XIII. Should the Security Deposit not cover the move-out charges, the tenant will be expected to promptly pay the remaining balance. Balances to accounts that remain unpaid may be subject to a set-off of any future state tax refund through the Debt Set-Off program.

Tenants who transfer from one unit to another will be expected to promptly pay any move-out charges on the unit vacated. Should the charges exceed what the tenant can reasonably be expected to pay, a Repayment Agreement may be entered into. Tenants who do not pay the move-out charges within a timely manner or do not enter into a Repayment Agreement will be issued notice of termination of assistance.

E. Special Inspections

Management may schedule special inspections if there are circumstances that warrant an inspection, i.e., excessively dirty unit during a routine work-order or pest control services, etc. Adequate notice of the inspection will be provided and the procedures set forth in this Section will be followed.

F. Follow-Up Inspections

Management will schedule a follow-up inspection ninety days after the resident moves into the unit.

G. HQS failure/roach infestation. All tenants will be required to sign and adhere to *Lease Addendum: Housekeeping and Infestation*.

XIII. LEASES, SECURITY DEPOSITS, UTILITIES AND RESIDENT-OWNED BUSINESSES IN UNITS

A. Lease:

The PHA maintains a standard form lease and resident rules and regulations that must be executed prior to move-in. The lease must contain the names of all members of the household and shall be signed by the head-of-household and spouse (if applicable) or any other household member age 18 and over. The Model Lease for Subsidized Programs will be used for the Section 8 New Construction Eastside Elderly complex.

New leases must be executed for all unit transfers. Notices of rent adjustment will be attached to the lease as rental changes are made. An amendment/rider or a new lease must be executed for all other changes to tenant status except for rent adjustments.

Transfers will not be considered for residents who have an outstanding balance to the Housing Authority and/or whose utility accounts cannot be transferred to the new unit (utility companies will not transfer accounts that are in arrears.) Utility accounts must be in the name of the head-of-household and utilities must be on and operable at all times. Should the head-of-household leave the unit and assistance is requested to be transferred to a remaining eligible family member, utilities must be placed in the name of the new head-of-household; the PHA reserves the right to make all appropriate checks and verifications as is required of a new applicant before approving the transfer of assistance. The vacating head-of-household may give permission for the unit security deposit to be transferred to the new head-of-household or the new head-of-household will be required to pay security deposit for the unit before a new lease is executed.

Schedules of special charges for services, maintenance repairs, utilities, and rules and regulations will be posted on the office bulletin board. These schedules may be amended from time to time with at least thirty (30) days notice to the residents by either posting on the bulletin board or mailed directly to each resident. An opportunity for resident comment will be provided.

B. Security Deposits

Each family/program participant is required to pay a security deposit as determined by the PHA and set forth in the Lease(s). A non-refundable portion of the security deposit (\$25.00) must be paid by the resident(s) prior to occupancy to hold the vacant unit. The remainder of the security deposit along with the first month's rent must be paid at time of lease up unless special circumstances exist and the Executive Director or designee has granted prior approval. Security deposits are equal to the first month's rent or the minimum established by the Housing Authority according to the table listed below, whichever is

greater.

Bedroom Size	Minimum Security Deposit	Maximum Security Deposit
Eff. & One B/R	\$100	\$350
Two B/R	\$100	\$350
Three B/R	\$125	\$400
Four B/R	\$150	\$450
Five B/R	\$175	\$500

Any interest earned on security deposits held by the PHA will not be distributed to residents vacating public housing or Section 8 New Construction units.

Security deposits will be returned to the tenant after move-out if the following conditions are met:

1. There are no unpaid rents, damages or other charges (beyond normal wear and tear) assessed and owed to the PHA by the family.
2. The apartment, equipment and yard have been left clean and all trash and debris have been removed.
3. All keys issued to the family are turned in to Management upon vacating the apartment and utilities are kept on and operable until keys are turned in. The family may be charged utility expense at move-out if utilities were transferred to the Housing Authority before the keys to the unit were turned in.
4. Resident has given Management a written thirty (30) day notice to vacate the unit. Any security deposit amount paid by the resident will be forfeited unless the required notice to vacate is provided to Management. Failure to provide the required thirty (30) day notice to Management can result in the tenant being charged rent for the thirty (30) day period, or until the unit is re-leased.

C. Utilities.

Residents are required to pay utility bills and utilities must be on at all times, up to the time when resident vacates the unit and returns the dwelling keys to Management. Utility accounts must be in the name of the head of household. The PHA will review annually and update, as necessary, a utility allowance schedule to be used for computing utility allowances for families under an income-based or ceiling rent. The PHA will use the appropriate utility allowance for the size of dwelling unit actually leased by the family with any change in utility allowance becoming effective with the next annual recertification or interim change. Families that have chosen a flat rent will not be given a utility

allowance/reimbursement in accordance with HUD regulations.

D. Resident Business Operation in Public Housing or Section 8 New Construction Units

Residents must request, in writing to the PHA, prior approval to operate a business in any leased unit. The request must include a detailed summary of the business activities (to include estimated traffic of clientele), license requirements (business, health, etc.), zoning ordinances, and utility consumption. The PHA reserves the right to approve or disapprove any business proposal that could cause damage to the unit, affect the PHA's insurance coverage, interfere with or cause disturbances with the residential community, or in any way affect the health, safety, or right to peaceful enjoyment of the premises by other residents.

If a business is approved, the resident must agree to the base rate for utility consumption and will be responsible for excess utilities (total consumption minus hours of operation). Additionally, the resident must provide evidence of liability insurance coverage.

XIV. RENT COLLECTION POLICY AND PROCEDURES

It is the policy of the HA to require all residents to make prompt payment of all amounts due under the lease agreement. The resident's failure to pay all or any portion of the amounts due shall constitute grounds for termination of the resident's lease.

A. Payment

Rent and other charges are due and payable on the first day of the month. Payments must be paid at the Housing Authority office. Personal checks may be accepted for regular rental payments that are mailed to the HA. Only cashiers checks or money orders will be accepted at initial occupancy (no personal checks will be accepted). **No cash will be accepted from applicants or residents by PHA staff.** The postmark date of the mail will be considered the receipt date of the payment for any payments that are mailed.

B. Late Payment and Charges*

Rent and other charges are due and payable on the first day of each month (to include but not limited to court costs, attorney's fees, uncontested maintenance charges, etc.) and will be considered late if payment is not made in full on or before the 5th calendar day of the month. Late fees and returned check charges actually charged are included in the lease executed with each resident. The maximum charges will be as follows: (1) If rent and other charges due under the lease (maintenance charges, court costs, attorney's fees, etc.) are not paid on or before the fifth (5th) day of each month, a penalty for late payment in an amount up to \$20.00* will be charged; accounts that are still unpaid on the 16th day of the month will incur an additional \$10.00* late fee (a total of up to \$30.00* late fees for accounts not paid by the 16th); the landlord may collect a fee of \$25.00 any time a check is not honored for payment (bounces). If rent and other charges due under the lease are not paid by the due date, the lease is considered as terminated. An Order and Rule may be filed in the local Magistrate's Court, to include all unpaid rent and other charges due under the lease. After the Order and Rule is served, a Writ of Ejectment is processed by the local Magistrate's Court for all unpaid amounts. After the Writ of Ejectment is served, arrangements will be made with the Sheriff's office to set out the resident.

If Resident is late in paying the rent due under this Lease three (3) times during any consecutive twelve (12) month period, Resident will be advised, in writing, by a representative of Management that this repeated failure to pay rent and other charges due under the lease when due has been determined by Management to be a repeated violation of a material term of the Lease under Section 11 and that further late payments may result in termination of the Lease. Personal checks will not be accepted by the HA from any resident after two incidents of bad checks or one incident of a returned (NSF) check if the tenant does not promptly (within 5 days) pay the full amount of the returned (NSF) check

and the returned check fee.

*Late fees for Eastside Homes will be administered in accordance with the *Model Lease for Subsidized Programs and the Rent Policy for Eastside Homes.*

C. Payment Disputes

Should a resident have a dispute over an amount due for rent or other charges indicated on the monthly statement, the resident must notify the HA in writing prior to the fifth (5th) day of the month. A dispute does not excuse the resident from making timely payment and will not avoid the imposition of a late charge (see also Grievance Procedure). Any part of the amount due which is not subject to dispute must be paid in a timely manner to avoid any additional administrative charges.

The PHA reserves the right to require an escrow deposit be made before a hearing is scheduled. Any settlement amount decided upon will be credited to the tenant's account or refunded to the tenant during the next scheduled check cut.

D. Partial Payments

Partial payments of undisputed rent are not generally accepted. The HA may in extenuating circumstances allow partial payment of rent or grant an extension for payment of rent. If a payment is accepted by the HA in an amount less than the full amount due for maintenance charges, late fees, etc., such payment shall be first credited to rent and the remaining amount, if any, applies to charges other than rent.

E. Deferred Payments

The HA may grant the privilege of paying installment payments for a time period to be determined by the HA for payment of retroactive rent, large repair bills, or for other circumstances that are approved by the Executive Director or designee.

F. Habitual Late Payments

Any resident paying rent late four times in any twelve-month period during the term of the lease will be determined to be in repeated violation of the lease; this may result in termination of the lease and ejection action.

G. Notice of Termination of Lease and Eviction Procedures

Residents who fail to make full payment of the amount due on or before the fifth

(5th) day of the month can be subject to the following procedures:

1. On the 6th day of the month or the first working day after the 6th, if the rent and/or any other amounts due under the lease (such as maintenance and repair charges or failure to honor a repayment agreement) are not paid, terminations proceedings will begin.
2. If rent and/or any other amounts due under the lease (such as maintenance and repair charges or failure to honor a repayment agreement) have not been paid, a Notice to Show Cause will be filed in the local Magistrate's Court, to include all unpaid rent and other charges.
3. After the Notice to Show Cause is served, a Writ of Ejectment is processed by the local Magistrate's Court for all unpaid amounts.
4. After the Writ of Ejectment is served, arrangements will be made with the Sheriff's office to set out the resident.

H. Reinstatement of Lease

A lease which has been terminated as a result of the failure of the resident to make timely payments of the amount due may be reinstated in the event of extenuating circumstances and if all amounts are paid in full (including all late charges, attorney's fees, serving fees and court costs). The decision to reinstate any lease is a matter solely within the discretion of the HA and is not the automatic right of any resident under any circumstances.

I. Balances due by Vacated Residents

Any amounts that are not paid by residents who terminate their lease or their lease has been terminated by the PHA and leave unpaid balances will have thirty (30) days from the date of the Final Bill or Statement of Security Deposit Settlement to pay amounts due or make arrangements for payment. Accounts will be turned over to the State Department of Revenue and may be turned over to an Attorney for collection after the thirty (30) day period.

Tenants who failed to properly report income changes to avoid rent increases may, upon approval of the Executive Director or designee, enter into a repayment agreement (see schedule listed under XVIII. Repayment Agreements and Collections) to repay the retroactive rent/subsidy due the Housing Authority/HUD. Tenants who do not enter into a repayment

agreement or who do not repay retroactive charges may be charged with fraud in accordance with South Carolina State Law, *Title 16. Crimes and Offense, Chapter 13. Forgery, Larceny, Embezzlement, False Pretenses: §16-13-437 False statement or representation as to income to public housing agency to obtain or retain public housing or with respect to determining rent; misdemeanor; penalties; restitution.*

All deposits of rental collections or other income or other amounts due the Housing Authority will be deposited in the Bank within three (3) days of receipt.

XV. TERMS AND CONDITIONS OF CONTINUED OCCUPANCY

COMMUNITY WORK SERVICE

As a part of continued occupancy in Public Housing, in addition to complying with the terms and conditions of the Regulations, the Lease and this Occupancy Policy, each adult Public Housing member of a family, unless exempted by the PHA and HUD Regulations, must contribute eight (8) hours per month of voluntary community service or participate in an economic self-sufficiency program for eight (8) hours per month, when so required by HUD regulations. Failure to comply with applicable community work service requirements is grounds for nonrenewal of the lease at the end of the twelve-month lease term.

Exempt individuals from such community service are as follows:

- (1) An adult that is 62 years or older;
- (2) An adult that is blind or disabled individual as defined under 216(i)(1) or 1614 of the Social Security Act (42 U.S.C. 416 (i)(1); 1382c), and who certifies that because of this disability she or he is unable to comply with the service provisions; or is the primary caretaker of such individual;
- (3) An adult who is engaged in work activities (see definitions);
- (4) Meets the requirements for being exempted from having to engage in a community work activity under the State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 *et seq.*) or under any other welfare program of the State, including a State-administered welfare-to-work program; or
- (5) An adult member of a family receiving assistance, benefits or services under a State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 *et seq.*) or under any other welfare program of the State, including a State-administered welfare-to-work program, and has not been found by the State or other administering entity

to be in noncompliance with such a program.

The PHA must provide a written notice to the family on any noncompliance with the community service requirements. Such notice must describe the noncompliance and indicate nonrenewal of the lease at the end of the twelve-month lease term. The PHA must permit any adult family member to enter into a written agreement with the PHA, in the form and manner required by the PHA, to cure such noncompliance. Should the family not cure the noncompliance in accordance with the agreement, the PHA will again notify the family of nonrenewal of the lease, unless the family can provide written assurance satisfactory to the PHA that the family member no longer resides in the unit.

Individuals are required to provide to the PHA acceptable evidence to substantiate an exemption status including (but not limited to) medical certifications, employment verifications, approved Welfare-to-Work (or other approved State-funded program) participation. Any self-certification by disabled individuals must contain "fraud certifications". Tenants who fail to provide the required documentation will not be eligible for exemption status until all required verifications and/or documentation has been provided. Under certain circumstances, asset managers may grant hardship exemptions for non-disabled tenants.

All notices must contain language that the family may request a grievance hearing on any PHA determination and may exercise any available judicial remedy.

CONTINUED OCCUPANCY

Residents may be required to provide evidence that he or she is able to continue to maintain a decent, safe and sanitary environment and continue to abide by the requirements of the Dwelling Lease, family obligations, rules, policies and regulations. The PHA retains the right to acquire or require additional information reasonably needed to verify circumstances, including home visits when necessary, or to refer such information to persons qualified to evaluate evidence. Such inquiries will be limited to the information necessary to verify said mitigating circumstances. Physician's statements may be required and may include appropriate tests to determine applicant's ability to care for the unit without risking the health and safety of other residents, including the ability to maintain sanitary living conditions and to abide by the Dwelling Lease and other policy requirements.

XVI. TERMINATIONS OF ASSISTANCE

The tenant may terminate the lease by providing the PHA with thirty (30) days written notice as defined in the lease.

Termination of assistance may occur for serious or repeated violations of the Public Housing Dwelling Lease or the Model Lease for Subsidized Programs, for failure to fulfill the Tenant's obligations set forth in the lease(s), violations of HUD's "One Strike, You're Out" procedures, or for other good cause. Grounds for termination of assistance may include but are not limited to the following:

- a. Action or inaction by the participating family or violation of family obligations under the lease, rules, and/or regulations to include failure to report any and all changes according to proper reporting procedures in family composition or income to the household within ten (10) days of the change. (See Definitions: Proper reporting method.)
- b. If a family member has committed any fraud or has made willful misrepresentations in income, assets, or family composition in connection with any federally housing assistance program, or has made material false, incomplete or inaccurate statements or fraud in connection with an application for assistance or with reexamination of income.
- c. The family has violated any participant obligation or breached any agreement such as vacating a unit without notice requirements and/or failure to reimburse any HUD-assisted agency for amounts owed under any housing assistance program.
- d. Violent activity, violent criminal activity or alcohol or drug-related activity, drug use, possession or distribution by any member of the participant family or guest, on or off the premises, including the manufacturing or production or methamphetamine (speed). The PHA will use its discretionary privileges under the program in determining whether or not termination includes all or specific family members. The PHA may deny or terminate assistance if the preponderance of evidence indicates that a family member has engaged in drug-related criminal activity or violent activity or other criminal activity regardless of whether the family member has been arrested or convicted. Any person who has a lifetime registration under a State Sex Offender Registration program or has been convicted of manufacturing or producing methamphetamine (speed) in any HUD- assisted property or any other property will be terminated from the program and denied eligibility for life.

- e. Failure to continuously occupy the unit under lease for more than 30 consecutive days or 60 consecutive days with medical documentation.
- f. Allowing any unauthorized person(s) to visit, stay or live in an assisted unit beyond a visitor period (subject to PHA approval) not to exceed 14 days in a 12-month period or allowing unauthorized person(s) to use the unit address for mailing purposes, legal documents, telephone listings, furniture rental agreements, utility billings, etc.
- g. Failure of any participating family member, or guest under the family's control, to conduct themselves in a manner that adversely affects the decent, safe, and sanitary requirements of the program or hinder the peaceful enjoyment by other area residents, guests, visitors or employees of the PHA or any activity (included, but not limited to, drug or alcohol use/abuse, drug use, possession or distribution, violent activity, criminal activity, sexual misconduct, etc.) or any activity that may compromise program integrity or that could lead to a diminished demand for assisted housing by families who will adhere to lease responsibilities.
- h. Failure to make payments due under the Lease.
- i. Refusal to execute a repayment agreement or to abide by the terms of a repayment agreement that is a result of failure to comply with any of the family's obligations to properly report income changes may result in termination of housing assistance and charges of fraud.
- i. Engaging in any abusive or violent behavior or making threats of any abusive or violent nature towards any PHA employee or any other resident or guest of any household.
- k. Failure or violation of the lease agreement while on probationary status. In lieu of terminating assistance for lease violations, the Housing Authority reserves the right to place residents/participants on probationary status for up to six months, or one year for more serious or repeated violations. Probationary status is a period of leniency in lieu of termination extended to a resident/participant after lease or HAP violations have occurred or the preponderance of evidence indicates that violations have occurred, during which time the resident/participant is put on notice that additional violations can bring about termination of assistance.

- l. Failure to vacate a public housing unit after executing a “notice to vacate” form; and, in cases when a Public Housing resident has accepted a Section 8 Voucher, the resident must execute an affidavit included in the Housing Authority’s Section 8 Briefing packet and vacate the unit as required under Section 7 of the Lease or within the timeframe specified in the Notice to Vacate form.
- m. Noncompliance of *New Community Service and Self-Sufficiency Requirements for Public Housing* as outlined in the QHWRA and subsequent Federal Regulations.
- n. Failure to maintain utilities in the dwelling unit; utilities must be on and operable at all times and the utility accounts must be in the name of the leaseholder/head-of-household. Utilities must be kept on and operable up until resident returns the dwelling keys to Management; utility accounts discontinued by the resident before keys are returned to Management will be billed to the resident as a move-out expense or deducted from the apartment security deposit.
- o. Harboring fugitives from justice or illegal non-citizens.

All housing terminations will be made in accordance with Federal Regulations, State and local laws, and the PHA's Grievance Policy. The Authority will adhere and comply with HUD’s implementing regulations concerning the Violence Against Women Act.

XVII. RECERTIFICATIONS, TYPES OF RENT, INTERIM CHANGES, AND LIMITATIONS ON HOUSEHOLD SIZE

A. Recertifications/Reexaminations

Families may choose, at annual recertification, to have their rent based on income or chose the PHA's flat rent (or ceiling rent, if applicable). Families must be given sufficient written information by the PHA to be able to make an "informed choice" of rental methods. Sufficient information must include the following:

1. The PHA's policy on switching type of rent in circumstances of financial hardship;
2. The dollar amounts of tenant rent under each option. If a family chose flat rent for a previous year, the PHA must provide the family with the amount of the income-based rent for the subsequent year if the rent was based on income or if the family specifically requests the information.

An appointment for recertification will be given. If participants fail to keep a scheduled appointment, a second appointment will be given. Failure to keep scheduled appointments to recertify will be deemed as inaction by the participating family and a violation of the family's obligations and is grounds for termination of assistance, unless the family can provide written evidence of an emergency that caused the missed appointments.

Families will be provided with a "Rent Adjustment" form at the end of the reexamination that will indicate changes in rent.

VERIFICATION STANDARDS AND PROCEDURES

Income verification plays an intricate role in determining family eligibility and the amount of rental subsidy received by the family. All information in the tenant family's file must be verified and properly documented. The family must provide required information, documentation and sign release forms. All adult family members age 18 and over must sign the required forms which may be used between regular reexams to verify unreported income. Release forms will be valid 15 months from the date of signature. Applicants, residents and participants must certify that all income and other information is accurate and complete. The PHA (Rock Hill Housing Authority) will conduct a thorough interview for the purpose of obtaining complete and accurate household income information to properly determine the family's correct amount of subsidy and rent. A family budget or statement of financial responsibility may be required of families reporting zero or extremely low income; the PHA will attempt to determine the source of income when the family's regular

expenditures conflict with their claim of zero income, utilizing all means available, including running credit report, using EIV/TASS, SWICA's, The Work Number, performing home visits and proper interviewing techniques to disclose any unreported source of income.

The PHA will document all sources of income to the household as well as any deductions claimed by the family. The PHA will use third-party written verification as the most desirable and preferred method, to be received directly from the third party via mail or fax; the third party verification must not be hand-carried by the family. When third party written verification has been requested and not received within a reasonable period of time, PHA staff will send a "second request". When third party written verification is not possible to obtain or not timely, third-party oral verification may be used as an alternative. A telephone interview by the PHA staff should include date and time of contact, name and source of information, PHA staff name and signature, summary of information and rationale for using oral verification. When third party written or oral documentation cannot be obtained, the family may be requested to provide documentation such as pay stubs (preferably consecutively for six weeks) bank statements for all family members (preferably for six months), award letters or benefit checks, child support payment cancelled checks and/or award letters, IRS tax forms (including Form 1099, Form 1040, Form 4506 and Form 8821) or W-2 forms. When a discrepancy exists between what has been reported and the verification, the PHA should contact the source of the third-party verification to resolve the issue. HUD's EIV data is also an acceptable form of third-party verification and will be handled in accordance with EIV program guidelines and confidentiality.

Family certification or declaration may be used only when other methods are not available or not received. The PHA may use notarized statements or signed affidavit from the family attesting to the information; the PHA will document why other verification methods were not used.

Zero income families may be contacted on a quarterly basis concerning the status of their household income. Families that have no source of income for a 30-day period may be advised to seek assistance from supportive agencies (DSS, Job Service, etc.). Families that have no source of income for a 30-day period will be required to submit statements of survival until employment or other means of financial support is obtained. The PHA may require specific documentation that would indicate that the family is unable to obtain TANF or income assistance from other programs, unable to work, or unable to participate in local job training services. The PHA may request a credit report on these families for rent determination purposes to see if there are any amounts paid to the household on a regular basis.

The PHA must determine compliance with community service and self-sufficiency requirements once each twelve (12) months for all families that have nonexempt individuals, when same is required by HUD.

B. Types of Rent

1. Income-based Rent

Income based rent is calculated based on income of the family from all sources (see Attachment to this Policy for Income Inclusions, Exclusions, and Deductions). All families that have chosen to be on income-based rent or a ceiling rent (if applicable for the PHA) must be recertified at least annually or more often as required by the PHA.

2. Flat Rent

Flat rents are determined solely by the PHA. Families that have chosen flat rents must have family composition reexamined at least annually, and must have income reexamined at least once every three years. The PHA may choose to reexamine income more than once every three years if the PHA deems it necessary for any reason.

Families that indicate a financial hardship may request to be reexamined and return to income-based rent at any time during the three-year period. The PHA must immediately allow the family to be placed on income-based rent and the PHA shall make the rent determination within a reasonable time after the family makes the request. The family may not return to a flat rent until the next regular reexamination period for the family.

The PHA defines “financial hardship” as follows:

1. The family has experienced a decrease in income because of changed circumstances, including loss or reduction of employment, death in the family/loss of a family member, or reduction in or loss of earnings or other assistance;
2. The family has experienced a significant increase in expenses because of changed circumstances, for medical costs, childcare, transportation, education, or similar items;
3. Such other situations of financial hardship as determined by the PHA.

C. Interim Changes

A family may request an interim reexamination of family income or composition because of any changes since the last determination. The PHA must make the interim reexamination within a reasonable time after the family request.

Families, regardless of the method of rent chosen, must report all changes in family

income (except regular increases in wages at the same job or periodic increase in government benefits), any additions or deletions of household members, and deduction changes (such as child care) within ten (10) days from the date of change. Failure to follow proper reporting procedures may result in termination of the Lease as set forth in this Policy and/or criminal prosecution if it is deemed that the failure to properly report was with fraudulent intent.

Proper Reporting Methods are considered to be tenant/participant reporting in writing by signed documentation to the Housing Authority all income to the household and any change in income within ten days of the change (including but not limited to income that may be exempted or excluded from rent calculation) or any change in family composition within ten days of the actual change and by providing all requested or required documentation (birth certificates, social security numbers, mailing addresses etc.) or any other documentation needed by HA staff to accurately determine the proper amount of rent and subsidy.

Interim adjustments will be made to correct any management errors, which may have occurred under the initial certification or for any subsequent reexaminations. Corrections resulting in a decrease in rent will be retroactive to the effective date of the move-in or the reexamination. Rent corrections which result in an increase in rent shall go into effect the first day of the month following the end of the fifteen (15) day written notice of such increase. Decreases in income that are verified to last less than 30 days may not be processed for rent adjustment.

Interim adjustments for families on *income-based* rent will be made for annual income increases of only more than \$1,800.00.

For all changes that occur prior to the 25th of a month that result in a decrease of the family's total tenant payment, an interim adjustment must be made and will become effective the first of following month after the family reports the change. Should the PHA fail to receive written verification of the occurrence which caused the decrease in rent within fifteen (15) days, the prior rent amount will be reinstated the first of the following month and will remain in effect until verification is received.

Increases in rent will become effective the first of the month following fifteen (15) days of an income increase and notification by the PHA to the family; in cases of a family's failure to properly report income increases, the rent change will be made retroactive to the date the rent would have changed under proper reporting methods, with the thirty days notice of increase being forfeited, rent becoming effective the first day of the coming month, and any retroactive charges being due and payable within thirty days (see also "Repayment Agreements and Collections"). Proper reporting methods are considered to be the tenant/participant reporting to the Housing Authority any change in income

(including but not limited to income that may be exempted or excluded from rent calculation) or any change in family composition within ten days of the actual change by making and keeping an appointment to sign the required forms and verifications and/or provide any requested or required documentation (birth certificates, social security numbers, mailing addresses, etc.) or any other documentation needed by HA staff to accurately determine the proper amount of rent and subsidy.

D. Limitations on Household Size

The PHA reserves the right of final decision concerning a resident's request to add members to the lease or household. For situations other than birth, any additions to the household must be approved by management of the PHA, including marriage, legal adoptions, custody, changes, addition of foster child(ren) or live-in aides. Participant names, with these types of changes in household size that result in the unit no longer being the appropriate size will be placed on the transfer list.

At the PHA's discretion, immediate family members who have been deleted from the household or were never members of the household may not be added as program participants and are not entitled to housing assistance. Such persons will be advised to apply for housing assistance.

XVIII. REPAYMENT AGREEMENTS AND COLLECTIONS

Should the HA determine that a participant has unreported income, that an incorrect amount of rent has been paid, maintenance/damage charges are due, and it has been determined that there was no intentional fraud involved, a repayment agreement may be entered into with the participant. Amounts less than \$100 should be paid in full; Repayment Agreements will not be entered into for amounts less than \$100 without approval by the Executive Director or designee.

If the HA enters into a repayment agreement, the repayment agreement will generally be set up as follows:

<u>Initial Payment</u>	<u>Amount</u>	<u>Maximum Term</u>
20% due*	\$101 to \$500	6 months
25% due*	\$501. - \$1,000.	9 months
30% due*	\$1,001. - \$2,500.	12 months

* Due at the execution of the repayment agreement.

Repayment agreements will not be entered into if the total amount due exceeds \$2,500.00 without the prior approval of the Executive Director or designee.

In the event of hardship cases, the HA has the right to change and amend the repayment agreement or waive the amount due upon approval by the Executive Director or designee.

Refusal to execute a repayment agreement that is a result of a failure to comply with any of the family obligations will result in termination of assistance and may bring about charges of fraud. In the event of the participant's failure to comply with the terms of the repayment agreement, the HA will terminate assistance for non-payment and/or failure to comply with the terms of the repayment agreement and may initiate charges of fraud.

XIX. TRANSFERS

Residents may be placed on a transfer list if the re-examination conducted by the Asset Manager reveals that the resident is occupying a unit in violation of Occupancy Standards (“Section XI - Bedroom size assignments”) and needs to be transferred to a unit of proper size. These transfers identified as “over or under utilized” units may be made as units of the needed size become available, subject, however to budget constraints and to the waiting list containing a sufficient number of applicants that require a unit size needed to re-occupy the vacated or transferred unit.

Requests for transfers may also be made for medical reasons. Transfers for convenience will be considered on a case-by-case basis and must be reviewed and approved by the Executive Director before being placed on the transfer list.

1. Medical requests must be documented by a physicians’ written verification that the transfer is a medical necessity; reasons for the transfer must be included in the documentation. The medical necessity must be specifically noted and the reason provided as to why the new unit will alleviate the medical condition.

2. Transfers for verifiable emergencies if life-threatening medical conditions exists will be approved after receipt of acceptable medical evidence from the resident’s physician.

3. Transfers for convenience must be supported by documentation that demonstrates that the transfer will contribute to the welfare of the resident (nearer to employment, day care, school, hospital, etc.) Transfers for convenience will be subject to approval by the Authority based upon the impact on vacancy levels at the specific project and the new project if different, the ability to rent the vacated unit in a reasonable time, any cost to the Authority for the transfer, and general budget impact for the project and Authority. Transfers for convenience will generally not be approved.

Requests for transfer of convenience will not be considered unless the resident has been at the current address for at least one year and has a good housekeeping record, with the tenant file containing no history of disturbances, no late rent payments or any other lease violations including reports of unauthorized occupants. Requests for transfers of convenience will not be approved if the resident is on probation for lease violations or if utility payments are in arrears, which would prevent a transfer of utility service to the new unit. Management reserves the right to perform a housekeeping inspection prior to approval of a transfer for convenience.

Other requests for transfers will be considered by the Executive Director. Transfers will be allowed between public housing units and units at Eastside Homes as offers for those units

are selected from the Public Housing Wait List.

All requests for transfers must be approved by Management before being placed on the transfer list. Before the Asset Manager schedules a transfer, utility companies will be contacted to assure that services can be transferred. Residents selected from the transfer list will be made two offers of transfer; after refusal of two offers, the resident's name will automatically be removed from the transfer list. Selections by bedroom size will be made based on date and time the resident was approved and placed on the transfer list, with medical transfers taking precedence over transfers of convenience.

When required, transfers for over or under-utilized units or for required modernization, tenants must accept one offer of transfer; failure to accept the offer could result in the resident receiving a thirty day notice of intent to terminate assistance for failure to comply with requirements and obligations.

Transfers will be considered as vacancies occur after consideration of the available bedroom size, wait list and ability to fill the unit being vacated. Transfers will be delayed if a high number of vacancies exist to avoid scheduling problems and delays in unit turnaround time.

Transfers will be made without regard to race, sex, color, religion, national origin, familial status, or disability status. Transfers will be authorized in the following situations.

The Housing Authority will first offer vacant accessible units to any disabled or elderly applicants on the waiting list. If there are no applicants on the waiting list claiming a disability or the need for an accessible unit, the accessible unit will be offered to the next applicant on the wait list; that applicant must agree to move to an available non-accessible unit within 30 days when either a current resident or an applicant needs the features of an accessible unit.

Under special circumstances, the Executive Director may waive the above listed procedures.

XX. RESIDENT EMPLOYEES AND TENANTS EMPLOYED BY THE PHA

Employees who are required to live in Public Housing as a condition of their job are not considered Public Housing Tenants and are not subject to the same requirements or rights of Public Housing tenants (do not have to be income eligible, not subject to selection procedures and rent calculations, are not subject to lease and grievance procedures, have no rights to remain in Public Housing if employment is terminated). The PHA may charge employees who are required to live in Public Housing as a condition of their job a reasonable rent. Dwelling units of this nature must be approved by HUD (pursuant to HUD's unit conversion procedures in Handbook 7468.I) and excluded from total unit months available for occupancy (UMSs) for purposes of calculating subsidy under the Performance Funding System (PFS). Any rent paid must be included as other income for PFS calculations.

Public Housing participants or applicants who work or expect to work for the PHA are subject to the same admissions and occupancy requirements as other participants/applicants. Such work may not be a condition of their admission or tenancy, they may not be given a selection preference on their willingness to work for the PHA, and the PHA may not lower the rent as compensation for employment. Employment income must be counted in computations of rent.

Resident Advisory Board.

A board comprised of Public Housing residents and Section 8 participants will be established consisting of three to five program participants to assist the PHA in planning, operational and policy development and revisions of documents, from time to time as needed. The Board will consist of one resident from each major public housing site, when possible. Meetings will be scheduled as needed but no less than one meeting will be held each year. Board members will be given the opportunity to volunteer to serve and will be selected only if residents fail to volunteer.

XXI. COMPLAINTS AND INFORMAL HEARINGS (See also PHA's Grievance Policy)

A. Discrimination Complaints

If there is notification to the PHA that there is reason to believe that there has been any discrimination on the basis of race, color, creed, sex, disability status, familial status, or national origin, the PHA will provide the Fair Housing Complaint Form, HUD-903, and any assistance deemed necessary.

B. Informal Hearings

Denials of eligibility will be indicated through written correspondence. Letters will be sent indicating the reason for the denial, notification of the right for an informal hearing, and shall require a verbal request (followed by the family signing a request for hearing form) within ten (10) days from the date of the notification. Failure to request the hearing by signing a request for hearing form within ten (10) days from the date of the letter from the PHA will result in forfeiture of this right.

Informal hearings, upon receipt of a written request, will be conducted for decisions affecting families such as amount of rent calculation or a decision of denial. A member of the PHA staff other than the individual that initially determined the ineligibility will conduct the informal hearing.

For terminations of the lease, the hearing must allow for due process for the PHA and the family to include presentation of any evidence and/or opportunity to question witnesses, right to retain and have legal representation, and right to a private hearing (see PHA's Grievance Policy).

Failure to appear at any scheduled hearing by either the family or the PHA is a waiver of the right to a further hearing. Any appointment requested by a Resident and not kept or not rescheduled at least twenty-four hours prior to the time of the arranged appointment will waive the right to a rescheduled hearing unless it is proven that a verifiable emergency existed at the time of the missed appointment.

A written decision of the hearing officer or panel will be issued. The determination by the hearing officer or panel does not constitute a waiver of either party's right to appropriate judicial proceedings.

The person or panel conducting the hearing must issue a prompt written decision stating the reasons for the decision to the PHA staff and the applicant/participant/owner.

Informal hearings will not be conducted by the PHA for the following:

1. Discretionary administrative determinations by the PHA, general policy issues, or class grievances.
2. The PHA's determination of the bedroom size or the participant's occupancy of a unit that is overcrowded or under utilized.
3. A decision of denial or termination based on any drug-related or violent activity or violent criminal activity or any activity that threatens the health, safety, or peaceful enjoyment of the premises by other residents.

XXII. FREEDOM OF INFORMATION (FOI) REQUESTS

In accordance with South Carolina Code Section 30-4-30 and the Federal regulations regarding FOI requests and the Federal Privacy Act, all requests for public records, other than those normally made within the ordinary course of business, shall be made in writing to the Executive Director of the Housing Authority.

1. FOI requests must be in writing (ink only), unless an exception is granted by the Executive Director, and must be signed by the requesting person or his or her duly authorized agent or attorney.

2. Written notification of the Authority's determination on FOI requests will be made within fifteen (15) of the FOI request. If the request is denied, the reasons for the denial will be indicated. If the request is granted, the notification shall state the time and place when the requested public record will be made available for inspection and the deposit amount required for the record search. If copies are requested of any public records, the notification will include the cost per copy. The determination of the Authority shall constitute the final opinion as to the availability of the requested public record.

3. An average hourly rate of pay for administrative employees that conduct the record search plus 30% for benefits will be charged. Should overtime wages be necessary, the overtime rate of pay will also be charged. If copies are made of any records by employees or the requesting party, 50 cent per page will be charged. Deposits may be required by the Authority for such expenses.

4. No public record held by the Authority may be removed from the Authority's premises.

5. The Authority shall only allow the inspection and/or copying of public records in its possession which are not exempt pursuant to South Carolina Code Section 30-4-40, and it shall not otherwise be required to generate records either by creation, subpoena or contract demand.

6. Requests for search of, permission to inspect records, or for copies of records will be dealt with on a case-by-case request. The Executive Director will, in considering such requests, have to consider the availability of staff time to fulfill such requests in regard to work responsibilities and other public duties.

7. Residents may make an appointment to review their files. A staff member must be present (a resident will not be left alone with the file at any time) during the review. Residents may be charged for any copies made at their request. The resident may be

charged for the staff time to monitor the review if an unreasonable amount of time is used (generally any span greater than 30 minutes).

XXIII. RECORD RETENTION

The PHA will maintain all applications for admission and of all tenants in occupancy (to include race, ethnicity, sex, age of head of household) and any other occupancy information collection for the later of at least three (3) years or until audited by HUD. Records must be maintained to include offers and rejection of units, the reasons for the rejection, ineligibility documentation, and eligibility documentation for all residents. Files will be maintained for all participants that are no longer housed by the PHA and must include the disposition of the security deposit.

XXIV. OTHER ADMINISTRATIVE FUNCTIONS

The PHA will annually review and make changes, where necessary, to utility allowances and policies/procedures.

The Housing Authority Director will conduct internal quality reviews on the files for accuracy and completeness of documentation. Staff will be monitored and counseled in any deficient areas.

The PHA will follow-up on any reports of fraudulent activity by program staff, applicants, or participants. Documentation, when obtainable, will be compiled and an internal review will be conducted as to credible evidence. In the event that the documentation is sufficient to pursue further action, the Executive Director will be notified to determine the resulting actions by the PHA.

Attachment 1 – Income Inclusions and Exclusions

Income Inclusions and Exclusions will be administered in accordance with the Code of Federal Regulations, Public Housing Occupancy Guidebook and the 4350.3 HUD Occupancy Handbook (Eastside Elderly).

Interest income will be computed at the rate stated on third-party verifications, with six-month average being used for checking accounts and actual balance for savings accounts; For interest rates not stated on verifications and/or imputed income of \$5,000.00 or more, 2.0% will be used for Eastside Homes and 2.56% will be used for Public Housing and Section 8 programs.

Asset Limit and Residency Ownership Prohibition: For initial eligibility and for ongoing annual recertifications, any family having either (a) more than \$100,000 in net assets or (b) an ownership in a residence suitable for occupancy may be determined ineligible for assistance. PHAs may delay eviction or termination of families not meeting asset and residence restrictions for up to six months. Excluded from Asset Limit and Residency Ownership Prohibition: victims of domestic violence, families making a good faith effort to sell a property, family self-sufficiency accounts, personal property (except for items of significant value), retirement and education savings account assets, and amounts from certain disability lawsuits.

Section 8 Administrative Plan

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I. BACKGROUND AND ADMINISTRATION OF PROGRAMS

The Housing Authority of the City of Rock Hill was created to assist low-income families in obtaining decent, safe and sanitary housing at an affordable cost. Since that time the PHA has functioned continuously, managing Public Housing and Section 8 Programs.

The Section 8 program enables families to acquire modest, decent, safe, sanitary and affordable housing by utilizing existing units in the local rental market. Families are able to choose a unit (meeting the criteria outlined in this policy) suitable for their individual needs in the jurisdictional area of the Housing Authority.

The PHA will target at least 75% of admissions to families with incomes that do not exceed 30% of the PHA's area median income. The PHA may exercise its discretionary provisions of the regulations that permit fungibility between its Public Housing and Section 8 program in meeting the targeting goals.

The PHA administers the Housing Choice Voucher program and will not administer any other special housing types unless it is necessary to do so for reasonable accommodation for persons with disabilities. The PHA will permit families to rent or lease manufactured homes when the lot/space on which the manufactured home sits is a part of the rent or lease. The PHA will not provide assistance for only the rental or leasing of spaces for owners of manufacturer homes.

The Section 8 Programs (**including TBRA**) will be administered in accordance with this Policy, Federal Regulations, HUD Handbooks for the Section 8 program, and any pertinent state and local laws:

II. PLAN PURPOSE

The purpose of this plan is to meet HUD requirements, establish local policies for program interpretation and the PHA discretionary areas, aid the Section 8 staff in program procedures to ensure consistency, and provide program information (in an understandable format) to applicants and/or participants. It is not the intent of this plan to replace and/or cite all Federal Regulations verbatim, but to summarize and support the regulations and program Handbooks. Federal regulations apply regardless of whether the regulations are addressed in the plan.

III. OUTREACH TO FAMILIES AND OWNERS

Special outreach efforts may be necessary when the number of families on the waiting list is insufficient to maintain the leasing schedule or to attract groups that are not adequately represented in the assisted families such as the elderly or male heads of household.

The following sources will be used by the PHA for outreach to both families and owners of rental property:

- Announcements, news articles, paid advertisements that serve the PHA's jurisdictional area;
- Public Service announcements on local television and radio stations;
- Contact and coordination with local human service agencies that serve the PHA's jurisdictional area;
- Personal contact on one-to-one basis with local Realtors, apartment managers, and other property owners;
- Special presentations, as necessary, developed for local churches or other civic organizations; and
- Coordination with the City/County.
- Property owners throughout the City of Rock Hill should be encouraged to participate in the Section 8 program. If areas with rental housing are significantly under represented, appropriate contact will be made with property owners with rental property to advise them of the Section 8 program and its benefits for landlords. Census data should be obtained from the Council of Governments by income and minority concentration to assist in identifying under represented areas with rental housing. Outreach efforts will be used to attempt to encourage broader participation rates in these areas.

IV. PRIVACY OF APPLICANT/PARTICIPANT INFORMATION

The following laws authorize the collection of family income and other necessary information to determine an applicant's eligibility, unit size, and income for purposes of calculating the family's rent: Quality Housing and Work Responsibility Act of 1998, U.S. Housing Act of 1937, Section 214 of the Housing and Community Development Act of 1980 (Alien Rule), Title VI of the Civil Rights Act of 1964, and Title VIII of the Civil Rights Act of 1968. The Housing and Community Development Act of 1987 requires applicants and program participants to submit the social security numbers of all household members.

The PHA may conduct a computer match to verify the information provided. This information may be released to appropriate Federal, State, and local agencies, when relevant, and to civil, criminal or regulatory investigators and prosecutors. The information will not be otherwise disclosed or released outside of HUD, except as permitted or required by law. All requested information must be provided, including evidenced verification of all social security numbers for all family members. Failure to provide any requested information will result in a delay or rejection of an applicant's eligibility approval or denial of assistance of a program participant.

V. DEFINITIONS

Act. Quality Housing & Work Responsibility Act of 1998 (QHWRA) and Housing Act of 1937.

Admission. The point when the family becomes a participant in the program. In a tenant-based program, the date used for this purpose is the effective date of the first HAP contract for a family (first date of initial lease term).

Adult. A household member who is 18 years or older or who is the head of household, or spouse, or co-head.

Adjusted Income. Annual gross income less any adjustments permitted by Federal Regulations. See 24 CFR Part 5, Section 5.611.

Allowances. HUD approved deductions from annual gross income to determine adjusted income.

Annual Contributions Contract (ACC). A contract (in the form prescribed by HUD) for loans and contributions, which may be in the form of grants, whereby HUD agrees to provide financial assistance and the PHA agrees to comply with HUD requirements for the development and operation of a public housing complex, or to cover housing assistance payments and other expenses for tenant-based programs.

Annual Income. See Attachment. Defined in 24 CFR Part 5, Section 5.609.

Applicant or applicant family. A family that has applied for admission to a program, but is not yet a participant in the program.

Assets. See definition for Net Family Assets.

Asset Income. Income received from assets held by family members. If assets total more than \$5,000, income from the asset income and imputed asset income is counted in annual income.

Assisted Lease (or "Lease"). A written agreement between an owner and a family for the leasing of a unit by the owner to the family with assistance payments under a Housing Assistance Payments (HAP) contract between the owner and the PHA.

Assisted Family: A family who is currently living in a HUD-assisted property or leasing a unit wherein rent is reduced by a special program or rent is subsidized by the Department of Housing and Urban Development.

Childcare 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 are 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 amount 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. (Earned Income Disallowance exclusion.)

Ceiling Rent. Maximum rent determined and set by some PHAs.

Citizen. A citizen (by birth or naturalization) or national of the United States.

Complex for elderly families. A complex for elderly families is a complex or portion of a complex to which regulations for housing assistance apply that was designated for occupancy by the elderly at its inception (and that has retained that character) or, although not so designated, for which the PHA gives preference in tenant selection (with HUD approval) for all units in the complex (or for a portion of the units in the complex) to elderly

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families.

Continuously assisted. An applicant is continuously assisted under the 1937 Housing Act if the family is already receiving assistance under any 1937 Housing Act program when the family is admitted to the certificate or voucher program.

Contract Rent. The total amount of rent specified in the Housing Assistance Payment Contract as payable to the owner by the family and/or by the PHA on the family's behalf.

Cooperation Agreement. An agreement between a PHA and the applicable local governing body or bodies which assures exemption from real and personal property taxes, provides for local support and services for the development and operation of a public housing complex, and provides for PHA payments in lieu of taxes.

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.

Covered Housing. Public housing, project-based assistance under section 8 (including new construction and substantial rehabilitation projects), and tenant-based assistance under section 8.

Covered Person. A tenant, any member of the tenant's household, a guest or another person under the tenant's control.

Credible Evidence. Evidence of drugs found in the dwelling unit, evidence, which is tied to the drug activity, arrest, warrants issued, drug raids, or arrest, or conviction for such activity.

Decent, safe and sanitary. Housing is decent, safe, sanitary and in good repair if the requirements of the federal regulations are met.

Deductions. Federally mandated allowable deductions from annual gross income. See Attachment.

Dependent. A member of the family household (excluding foster children and foster adults) other than the family head or spouse, who is under 18 years of age, or is person with a disability, or is a full-time student.

Designated Voucher: Tenancy under the Designated Section 8 voucher HAP contract must be treated as tenancy under the HCV program except for the option of portability. Participants with a designated voucher cannot exercise portability to another PHA's jurisdiction. The voucher has been designated for a specific complex so move would be limited to transfer within the confines of that complex.

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. See Attachment.

Disabled person. See Person with Disabilities.

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

Disallowance: Exclusion from annual income.

Displaced Person. A person displaced by governmental action, or a person whose dwelling has been extensively damaged or destroyed as a result of disaster declared or otherwise formally recognized under

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federal disaster relief laws.

Displacement by inaccessibility of unit. An applicant is involuntarily displaced by inaccessibility of a unit if:

(1) A member of the family has a mobility or other impairment that makes the person unable to use critical elements of the unit; and

(2) The owner is not legally obligated to make changes to the unit that would make critical elements accessible to the disabled person as a reasonable accommodation.

Displacement as a result of HUD disposition of units. Involuntary displacement includes HUD disposition of multifamily rental housing complex under Section 203 of the Housing and Community Development Amendments of 1978.

Domicile. The legal residence of the household head or spouse as determined in accordance with State and local law.

Drug. A controlled substance as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802).

Drug-related criminal activity. The illegal manufacture, sale, distribution, or use of a drug, or the possession of a drug with intent to manufacture, sell, distribute or use the drug (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).

EO Plan. Equal Opportunity Housing Plan. The EO plan establishes PHA policies for implementing civil rights requirements.

Earned Income. Income derived from wages from employment or self-employment. Self employment is income derived from the sale of merchandise or a service.

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.

Effective date. The effective date of an examination or reexamination refers to (a) in case of an examination for admission, the effective date of initial occupancy, and (b) in the case of reexamination of an existing resident, the effective date of the redetermined total tenant payment or tenant rent.

Elderly family. A family whose head or spouse (or sole member) is an elderly or disabled person. It may include two or more elderly or disabled persons living together, or one or more of these persons living with one or more live-in aides.

Elderly person. A person who is at least 62 years of age.

Elderly family. A family whose head or spouse (or sole member) is an elderly or disabled person. It may include two or more elderly or disabled persons living together, or one or more of these persons living with one or more live-in aides.

Extremely Low-income family. A family whose annual income does not exceed 30 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families.

Eviction. The dispossession of the tenant from the leased unit, as a result of the termination of the tenancy, including a termination prior to the end of a term or at the end of a term.

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FMR. The rent, including the cost of utilities (except telephone), as establish by HUD for units of varying sizes (by number of bedrooms), that must be paid in the housing market area to rent privately owned, existing, decent, safe and sanitary rental housing of modest (non-luxury) nature with suitable amenities. See periodic publication in the Federal Register in accordance with 24 CFR 888.

Family. Defined in 24 CFR 5. 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. See 24 CFR 5.403.

Family members. Any household members except 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 HUD 50058.

Family Self-Sufficiency (FSS) Program. A program established by a PHA within its jurisdiction to promote self-sufficiency among participating families, including the provision of supportive services to these families, as authorized by section 23 of the U.S. Housing Act of 1937.

Family unit size. The appropriate number of bedrooms for a family. Family unit size is determined by the PHA under the PHA occupancy standards or subsidy standards.

Flat Rent. A rent for Public Housing units as determined and set by PHAs that a family may choose to pay in lieu of an income-based rental amount.

Fraud. Intentionally providing false, incomplete or inaccurate information on an application, recertification form, or failure to report all sources of income received by the family.

Full-time student. A person who is carrying a subject load that is considered full-time under the standards and practices of the educational institution attended. An education institution includes a vocational training school with a diploma or certificate program, as well as an institution offering a college degree.

Gross rent. The total monthly cost of housing an eligible family, which is the sum of the contract rent and any utility allowance.

Guest. A person temporarily staying in the unit with the consent of a tenant or other member of the household who has express or implied authority to so consent on behalf of the tenant.

Handicapped person (This definition is to be used for purposes of maintaining nondiscrimination practices (see 24 CFR 8.3); see Person with Disability definition for purposes of defining disability).

Includes any person who has a physical or mental impairment that substantially limits one or more major life activities; has a record of such impairment; or is regarded as having such an impairment. This term does not include any individual who is an alcoholic or drug abuser whose current use of alcohol or drugs prevents the individual from participating in the program or activity in question, or whose participation, by reason of such current alcohol or drug abuse, would constitute a direct threat to property or the safety of others. As used in this definition, the phrase:

(a) Physical or mental impairment includes:

(1) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: Neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive, genito-urinary, hemic and lymphatic skin; and endocrine; or

(2) Any mental or psychological disorder, such as mental retardation, organic brain syndrome,

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emotional or mental illness, and specific learning disabilities. The term physical or mental impairment includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, drug addiction and alcoholism.

(b) Major life activities means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.

(C) Has a record of such means:

(1) Has a physical or mental impairment that does not substantially limit one or more major life activities but that is treated by a recipient as constituting such a limitation.

(2) Has a physical or mental impairment that substantially limits one or more major life activities only as a result of the attitudes of others toward such impairment; or

(3) Has none of the impairments defined in paragraph (a) of this section but is treated by a recipient as having such an impairment.

(See also definition for "Qualified individual with Handicap").

Head of Household. The head of household is the person who assumes legal and moral responsibility for the household.

Household. Head of household and PHA-approved household members, which may include a PHA-approved live-in aide.

Housing Assistance Payment ("HAP"). The payment made by the PHA to the owner of a unit under lease by an eligible family, as provided in the contract, in accordance with Federal Regulations. The payment is the difference between the contract rent and the tenant rent. An additional payment is made by the PHA to the family when the utility allowance is greater than the total tenant payment. In the case of a family renting only a manufactured home space, the HAP is determined in accordance with the Federal Regulations.

Housing Assistance Payment Contract. A written contract between the PHA and an owner for the purpose of providing housing assistance payments to the owner on behalf of an eligible family.

Housing Assistance Plan. A local housing assistance plan approved by the field office meeting the requirements of the community development block grant regulation (24 CFR 570) whether or not the unit of general local government submitting the plan is a participant in the block grant program.

Housing Choice Voucher. A document issued by a PHA to a family selected for admission to the rental Housing Choice Voucher program. The Housing Choice Voucher (HCV) describes the program, and the procedures for PHA approval of a unit selected by the family. The HCV also describes the obligations of the family under the program.

Housing Choice Voucher or Voucher holder. A family holding a voucher with unexpired search time.

Housing Quality Standards "HQS". Program requirements for housing standards established by HUD and any variations established by the PHA and approved by HUD.

Imputed Asset. Asset disposed of for less than Fair Market Value during two years preceding examination or reexamination.

Imputed Income. Calculation used when assets exceed \$5,000.00, e.g., HUD passbook rate x total cash value of assets.

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Imputed Welfare Income. The amount of annual income not actually received by a family, as a result of a specified welfare benefit reduction, that is nonetheless included in the family's annual income for purposes of determining rent. (See HUD regulations Section 5.615 (c) for determination requirements for imputed welfare income.)

Inactive Status. Inactive means that an applicant is removed from the wait list. The applicant would need to reapply, if the wait list is open to regain entry onto to the wait list and the applicant would start over as a new applicant.

Income Based Rent. An income-based rent is a tenant rent that is based on the family's income and the PHA's rent policies for determination of such rents.

Incremental Units. The number of budgeted units minus any units for which HUD provided tenant-based program funding designated for families previously residing in housing with Section 8 project-based assistance.

INS. The U.S. Immigration and Naturalization Service.

Income Deductions. See Deductions Attachment.

Income limits. HUD established extremely low, very low-income and low-income limits that are used to determine if assisted housing program applicants qualify for admission to HUD-assisted programs. These income limits are based on HUD estimates for area median family income (using Metropolitan Statistical Areas or Primary Metropolitan Statistical Areas as defined by the Office of Management and Budget (OMB), and the Bureau of the Census definition of family) with specific statutorily permissible adjustments. If the income limits based on this approach would be less than if based on the relevant State non-metropolitan median family income level, income limits are based on the State non-metropolitan family income level.

Landlord. Either the owner of the property or his/her representative or the managing agent as shall be designated by the owner.

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

Lease. A written agreement between an owner (including a PHA) and a family for the leasing of a housing unit. Section 8 programs require an Addendum to the Lease (that contains mandatory language) if an owner's lease is used which must be incorporated into any lease or attached to the lease.

Live-in aide. (24 CFR 5.403) A person who resides with one or more elderly, near-elderly or disabled persons or disabled person and who:

(1) Is determined to be essential to the care and well being of the persons; a health care provider must document the need for a live-in aide.

(2) Is not obligated for the support of the persons and whose income is not considered in calculating the resident's rent.

(3) Would not be living in the unit except to provide necessary supportive services. (Occasional, intermittent, multiple or rotating care givers do not meet the definition of a live-in aide.)

(4) is not a member of the assisted family and is not entitled to the voucher as the remaining member of the tenant family.

(5) has been approved by the PHA. The PHA may disapprove a person if who has: (1) committed fraud, bribery or any other corrupt or criminal act in connection with any federal housing program; (2) committed drug-related criminal activity or violent criminal activity; or (3) currently owes rent or other amounts to the PHA or to another PHA in connection with Section 8 or public housing assistance under the 1937 Act. (24 CFR 982.316)

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Local preference. A preference used by the PHA to select among applicant families. Local is defined as the operating jurisdiction of the Rock Hill Housing Authority.

Low-income family. A family whose annual incomes do not exceed 80 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families. HUD may establish income limits higher or lower than 80 percent of the median income for the area on the basis of its finding that such variations are necessary because of the prevailing levels of construction costs or unusually high or low family incomes.

Major Life Activities. Functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.

Maximum Family Share (at initial occupancy): At the time the PHA approves a tenancy for initial occupancy of a dwelling unit by a family with tenant-based assistance under the program and where the gross rent of the unit exceeds the applicable payment standard for the family, the family share must not exceed 40 percent of the family's adjusted monthly income. The determination of adjusted monthly income must be based on verification information received by the PHA no earlier than 60 days before the PHA issues a voucher to the family.

Medical expenses. Allowable deductions from annual gross income for certain types of program participants. See Attachment.

Mixed Family. A family whose members include those with citizenship or eligible immigration status, and those without citizenship or eligible immigration status.

Monthly adjusted income. One-twelfth of adjusted annual income.

Monthly income. One-twelfth of annual income.

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, including Puerto Rico, the U.S. Virgin Islands, Guam, Canal Zone, etc.

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

Net family assets. Net cash value after deducting reasonable costs that would be incurred in disposing of real property, savings, stocks, bonds, and other forms of capital investment, excluding interests in Indian trust land and the equity in a housing cooperative unit or in a manufactured home in which the family resides. The value of necessary items of personal property such as furniture and automobiles shall be excluded. (In cases where a trust is not revocable by, or under the control of, any member of the family or household, the value of the trust fund will not be considered an asset so long as the fund continues to be held in trust. Any income distributed from the trust fund shall be counted when determining annual income under 24 CFR 5, Subpart F.)

In determining net family assets, PHAs and Owners shall include the value of any business or family assets disposed of by an applicant or tenant for less than fair market value (including a disposition in trust, but not in a foreclosure or bankruptcy sale) during the two years preceding the date of application for the program or reexamination, as applicable, in excess of the consideration received therefore. In the case of a disposition as part of a separation or divorce settlement, the disposition will not be considered to be for less than fair market value if the applicant or tenant receives important consideration not measurable in dollar terms. See also definition for Imputed Asset and Imputed Income.

Noncitizen. A person who is neither a citizen nor a national of the United States, and is not eligible for housing assistance unless eligible immigration status has been provided (evidenced by supporting documentation) in one of the following categories:

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(1) A noncitizen who has been lawfully admitted to the U.S. for permanent residence, as defined by the Immigration and Nationality Act as an immigrant (includes special agricultural workers who have been granted lawful temporary resident status).

(2) A noncitizen who entered the U.S. before January 1, 1972, or such later date as enacted by law, and who has continuously maintained residence in the U.S. since then, and who is not ineligible for citizenship, but who is deemed to be lawfully admitted for permanent residence as an exercise of discretion by the U.S. Attorney General.

(3) A noncitizen who is lawfully present in the U.S. pursuant to an admission under refugee status, asylum status, or as a result of being granted conditional entry because of persecution or fear of persecution on account of race, religion, or political opinion or because of being uprooted by catastrophic national calamity.

(4) A noncitizen who is lawfully present in the U.S. as a result of an exercise of discretion by the U.S. Attorney General for emergent reasons or for reasons deemed strictly in the public interest under parole status.

(5) A noncitizen that is lawfully present in the U.S. as result of the Attorney General's withholding deportation for threat of life or freedom.

(6) A noncitizen lawfully admitted for temporary or permanent residence under amnesty (Section 245A of the INA).

Noncitizen Student. Housing Assistance (including continued assistance, prorated assistance or temporary deferral of termination of assistance) is prohibited to all noncitizen students (including spouses or minor children) who have a residence in a foreign country that the person has no intention of abandoning; are a bona fide student qualified to pursue a full course of study; and are admitted to the U.S. temporarily and solely for purposes of pursuing such a course of study, particularly designated by such person and continually approved by the U. S. Attorney General.

Occupancy standards. Standards established by a PHA to determine the appropriate number of bedrooms for families of different sizes and compositions. See definition of "family unit size."

Other Person Under Tenant's Control. A person, although not staying as a guest (see definition of guest) in the unit, is, or was at the time of the activity in question, on the premises because of an invitation from the tenant or other member of the household who has express or implied authority to so consent on behalf of the tenant.

Owner. Any person or entity, including a cooperative, having the legal right to lease or sublease Existing Housing. See the Annual Contributions Contract for the types of prohibited or conflict of interest owners.

PHA. Public housing agency or authority. Also referred to as HA. A State, county, municipality or other governmental entity or public body authorized to administer the programs. The term "PHA" includes an Indian housing authority (IHA). "PHA" and "HA" mean the same thing.

PHA jurisdiction. The area in which the PHA is not barred and is legally permitted to operate under State law.

Participant. A family that has been admitted to the PHA's certificate or voucher program and is currently assisted in the program. The family becomes a participant on the effective date of the first HAP contract executed by the PHA for the family (first day of initial lease term).

Payment standard. The payment standard will be established at an amount between 90% and 110% of the HUD published annual Fair Market Rents, depending on the availability of funding and the availability of units to program participants. In a voucher or over-FMR tenancy, the maximum subsidy payment for a family (before deducting the family contribution). For a voucher tenancy, the PHA sets a payment standard in the

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range from 80 to 100 percent of the current FMR/exception rent limit. For an over-FMR tenancy, the payment standard equals the current FMR/exception rent limit.

Person with Disabilities. 1. Means a person who:

- (i) Has a disability, as defined in 42 U.S.C. 423;
- (ii) Is determined, pursuant to HUD regulations, to have a physical, mental, or emotional impairment that:
 - (A) Is expected to be of long-continued and indefinite duration;
 - (B) Substantially impedes his or her ability to live independently; and
 - (C) Is of such a nature that ability to live independently could be improved by more suitable housing conditions; or
- (iii) has developmental disability as defined in 42 U.S.C. 6001.

2. Does not exclude persons who have the disease of acquired immunodeficiency syndrome or any conditions arising from the etiologic agent for acquired immunodeficiency syndrome or any conditions arising from the etiologic agent for acquired immunodeficiency syndrome;

3. For purposes of qualifying for low income housing, does not include a person whose disability is based solely on any drug or alcohol dependence; and

4. Means "individual with handicaps", as defined in Section 8.3 of this title, for purposes of reasonable accommodation and program accessibility for persons with disabilities.

Permanent Replacement Housing. Housing that is decent, safe, and sanitary; that is adequate for the family size; and that the family is occupying pursuant to a lease or occupancy agreement. (This term is used in defining eligibility for involuntarily displaced persons who may have received shelter after being displaced and before receiving rental assistance).

Pre-adjustment Rent. Rent to an owner that does not include any previously approved special adjustments.

Preponderance of Evidence. 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.

Previously Unemployed. Includes a person who has earned, in the twelve months previous to employment, no more than would be received for 10 hours of work per week for 50 weeks at the established minimum wage.

Probation: A period of leniency in lieu of termination extended to a resident/participant after lease or HAP violations have occurred or the preponderance of evidence indicates that violations have occurred during which time the resident/participant is put on notice that additional violations can bring about termination of assistance.

Processing Entity: the person or entity that 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."

Proper Reporting Methods: Tenant/participant reporting in writing by signed documentation to the Housing Authority any change in income within ten days of the change (including but not limited to income that may be exempted or excluded from rent calculation) or any change in family composition within ten days of the actual

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change and by providing all requested or required documentation (birth certificates, social security numbers, mailing addresses etc.) or any other documentation needed by HA staff to accurately determine the proper amount of rent and subsidy.

Public Housing: Housing assisted under the 1937 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 assistance.

Rental Agreement. All agreements, written or oral, between the landlord and tenant (and valid rules and regulations adopted by the landlord pursuant to a written agreement) relating to the use and occupancy of a dwelling unit and surrounding premises.

Resident Advisory Board: Board of Public Housing residents and Section 8 participants formed to assist the PHA in operational and policy changes.

Residency preference. A preference for admission of persons who reside in a specified geographic area.

Qualified Family. A family residing in public housing: (i) Whose annual income increases as a result of employment of a family member who was unemployed for once or more years previous to employment; (ii) Whose annual income increases as a result of increased earnings by a family member during participation in any economic self-sufficiency or other job training program; or (iii) Whose annual income increases, as a result of new employment or increased earnings of a family member, during or within six months after receiving assistance, benefits or services under any state program for temporary assistance for needy families funded by TANF, as determined by the PHA in consultation with the local agencies administering TANF and Welfare-to-Work (WTW) programs. The TANF program is not limited to monthly income maintenance, but also includes such benefits and services as one-time payments, wage subsidies and transportation assistance—provided that the total amount over a six-month period is at least \$500.

Qualified Individual with Handicap. (See 24 CFR Part 8.3). With respect to any non-employment program or activity which requires a person to perform services or to achieve a level of accomplishment, an individual with handicaps who meets the essential eligibility requirements and who can achieve the purpose of the program or activity without modifications in the program or activity that the Housing Authority can demonstrate would result in a fundamental alteration in its nature; or with respect to any other non-employment program or activity, an individual with handicaps who meets the essential eligibility requirements for participation in, or receipt of benefits from, that program or activity.

Ranking preference. A preference used by the PHA to select among applicant families that qualify for a preference.

Reasonable Rent. A rent to owner that is not more than either:

- (1) Rent charged for comparable units in the private unassisted market; or
- (2) Rent charged by the owner for a comparable assisted or unassisted unit in the building or premises.

Remaining Family Member. A member of a family listed on the lease who continues to live in an assisted unit after all other family members have left. Live-in-aid is specifically excluded from qualifying as a remaining member of the family unless their name has been included on the lease and any income included for rent calculation purposes.

Rent. See Tenant Rent and Total Tenant Payment.

Rental voucher. See Housing Choice Voucher.

Rental voucher program. See Housing Choice Voucher program.

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Residency preference. A PHA preference for admission of families that reside anywhere in a specified area, including families with a member who works or has been hired to work in the area ("residency preference area").

Residency preference area. The specified area where families must reside to qualify for a residency preference.

Responsible Entity: (1) For the public housing program, the Section 8 tenant-based assistance program and the Section 8 project-based certificate or voucher programs and the Section 8 moderate rehabilitation program, responsible entity means the PHA administering the program under an ACC with HUD; (2) For all other Section 8 programs, responsible entity means the Section 8 project owner.

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

Special admission. Admission of an applicant that is not on the PHA waiting list or without considering the applicant's waiting list position.

Specified Welfare Benefit Reduction. (1) A reduction of welfare benefits by the welfare agency, in whole or in part, for a family member, as determined by the welfare agency, because of fraud by a family member in connection with the welfare program; or because of welfare agency sanction against a family member for noncompliance with a welfare agency requirement to participate in an economic self-sufficiency program. (2) "Specified welfare benefit reduction" does not include a reduction or termination of welfare benefits by the welfare agency: (i) at expiration of a lifetime or other time limit on the payment of welfare benefits; (ii) because a family member is not able to obtain employment, even though the family member has complied with welfare economic self-sufficiency or work activities requirements; or (iii) because a family member has not complied with other welfare agency requirements. (See Imputed welfare income and HUD regulations Section 5.615 (c) for determination requirements for imputed welfare income.)

Spouse. Spouse refers to the marriage partner, either a husband or wife, who is someone you need to divorce in order to dissolve the relationship. It includes the partner in a common law marriage. It does not cover boyfriends, girlfriends, significant others, or "co-heads." "Co-head" is a term recognized by some HUD programs, but not by public and Indian housing programs.

Standard, permanent replacement housing. Decent, safe and sanitary housing, adequate for the family size, and housing that the family is occupying pursuant to a lease or occupancy agreement. Standard, permanent replacement housing does not include transient facilities (such as motels, hotels, or temporary shelters); or in cases of domestic violence, the housing unit in which the applicant, and the applicant's spouse or other member of the household who engages in such violence, live.

State Landlord and Tenant Act. Any state statute or local ordinance which imposes obligations on a landlord and tenant in connection with the occupancy of a dwelling unit and surrounding premises and which provides that violations of such obligations by the tenant constitute grounds for eviction.

Specified Welfare Benefit Reduction. (1) A reduction of welfare benefits by the welfare agency, in whole or in part, for a family member, as determined by the welfare agency, because of fraud by a family member in connection with the welfare program; or because of welfare agency sanction against a family member for noncompliance with a welfare agency requirement to participate in an economic self-sufficiency program. (2) "Specified welfare benefit reduction" does not include a reduction or termination of welfare benefits by the welfare agency: (i) at expiration of a lifetime or other time limit on the payment of welfare benefits; (ii) because a family member is not able to obtain employment, even though the family member has complied with welfare economic self-sufficiency or work activities requirements; or (iii) because a family member has not complied with other welfare agency requirements. (See Imputed welfare income and HUD regulations Section 5.615 (c) for determination requirements for imputed welfare income.)

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Subsidy Standards. Standards established by a PHA to determine the appropriate number of bedrooms and amount of subsidy for families of different sizes and compositions.

SWICA. State Wage Income Collection Agency.

TBRA. Tenant Based Rental Assistance.

Tenant-based. Rental assistance that is not attached to the structure.

Tenant rent. The amount payable monthly by the family as rent to an owner (including a PHA). Where all utilities (except telephone) and other essential housing services are supplied by the PHA, Tenant Rent equals Total Tenant Payment. Where some or all utilities (except telephone) and other essential housing services are not supplied by the PHA and the cost thereof is not included in the amount paid as rent, Tenant Rent equals Total Tenant Payment less the utility allowance. Total tenant payment does not include charges for excess utility consumption or other miscellaneous charges.

Total Tenant Payment. Total income-based tenant payment shall be **the highest** of the following, rounded to the nearest dollar:

- (1) Thirty percent (30%) of the monthly adjusted income;
- (2) Ten percent (10%) of monthly income;
- (3) Minimum rent as set by PHA from \$0 to \$50.00;
- (4) Ceiling rent as set by PHA for Public Housing;

OR

- (5) Flat rent as set by PHA for Public Housing.

Unit. Dwelling unit.

United States Housing Act of 1937. (1937 Housing Act). The basic law that authorizes the public and Indian housing programs, and the Section 8 programs. (42 U.S.C. 1437 et seq.).

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 or approved by a PHA or HUD, under 24 CFR 5, of the monthly cost of a reasonable consumption of such utilities and other services (excluding any allowance for air-conditioning as required by HUD) for the unit by an energy-conservation household of modest circumstances consistent with the requirements of a safe, sanitary, and healthful living environment.

Utility reimbursement. The amount, if any, by which the utility for the unit, if applicable, exceeds the Total Tenant Payment for the family occupying the unit.

Very low-income family. A family whose annual income does not exceed 50 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families. HUD may establish very low-income limits higher or lower than 50 percent of the median income for the area on the basis of its finding that such variations are necessary because of unusually high or low family incomes.

Violent Activity. Any behavior or activity exerted or displayed so as to cause damage, abuse, intimidation or injury; vehemence of feeling or expression or rough, aggressive action.

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Violent Criminal Activity. Any criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage.

Waiting list admission. An admission from the PHA waiting list.

Welfare assistance. Welfare or other payments to families or individuals, based on need, that are made under programs funded, separately or jointly, by Federal, State or local governments.

Welfare assistance. (for purposes of the FSS program only) income assistance from Federal or State welfare programs, and includes only cash maintenance payments designed to meet a family's ongoing basic needs. Welfare assistance **does not include:** (1) Nonrecurrent, short-term benefits that: (i) Are designed to deal with a specific crisis situation or episode of need; (ii) Are not intended to meet recurrent or ongoing needs; and (iii) Will not extend beyond four months. (2) Work subsidies {i.e., payments to employers or third parties to help cover the costs of employee wages, benefits, supervision, and training}; (3) Supportive services such as child care and transportation provided to families who are employed; (4) Refundable earned income tax credits; (5) Contributions to, and distributions from, Individual Development Accounts under TANF; (6) Services such as counseling, case management, peer support, child care information and referral, transitional services, job retention, job advancement and other employment-related services that do not provide basic income support; (7) Transportation benefits provided under a Job Access or Reverse Commute project to an individual who is not otherwise receiving assistance; (8) Amounts solely directed to meeting housing expenses; (9) Amounts for health care; (10) Food stamps and emergency rental and utilities assistance; and (11) SSI, SSDI, or Social Security.

Working Family: Working, in this definition, will include head of household or spouse who receives SSI or social security benefits, retired persons with pensions, or the head of household or spouse is working a minimum of 20 hours per week at no less than minimum wage (or has the equivalent **earned** gross monthly income to the household) and has had that income for at least one year. i.e., Minimum wage at \$5.85 x 20 x 52 = \$6,084.00 or \$507 monthly gross income.)

Work Activities. See definition at section 407(d) of the Social Security Act (42 U.S.C. 607(d)).

Additional definitions may also be found in the *Public Housing Occupancy Guidebook, HUD Handbook 4350.3: Occupancy Requirements of Subsidized Multifamily Housing Programs, the Housing Choice Voucher Program Guidebook and the Code of Federal Regulations, Title 24: Housing and Urban Development.*

The 4350.3 *Occupancy Requirements of Subsidized Multifamily Housing Programs* may also be used for clarification and reference purposes in addition to HUD's *Housing Choice Voucher Program Guidebook* in the administration of housing programs.

VI. FAIR HOUSING AND EQUAL OPPORTUNITY HOUSING POLICY

A. Fair Housing

In accordance with the following regulations, the PHA will not on account of race, color, creed, sex, disability status, familial status, or national or ethnic origin deny to any family the opportunity to apply or receive housing assistance. Selections will be made in accordance with the applicable requirements included herein.

1. Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the implementing regulations 24 CFR Part 1 and Title VIII of the Civil Rights Act of 1968, as amended;

2. The Fair Housing Act (42 U.S.C. 3601-3619) and the implementing regulations at 24 CFR parts 100, 108, 109 and 110.

3. Executive Order 11063 on Equal Opportunity in Housing (1962), as amended, Executive Order 12259, 46 FR 1253 (1980), as amended, Executive Order 12892, 59 FR 2939 (1994) (implementing regulations at 24 CFR part 107).

4. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and the implementing regulations at 24 CFR Part 8;

5. The Age Discrimination Act of 1975 (42 U.S.C. 6101-6107) and the implementing regulations at 24 CFR Part 146; and

6. Title II of the Americans with Disabilities Act (42 U.S.C. 12101-12213) to the extent applicable.

Selections will be made in accordance with the selection criteria consistent with HUD's affirmative fair housing objectives and are included herein.

The PHA will post on the applicant/resident information bulletin board the telephone number for the HUD Office of Fair Housing and Equal Opportunity (FHOO) toll-free hotline - (800-669-9777) or TDD/TTY NUMBER, 1-800-927-9275.

B. Equal Opportunity Housing Plan

In addition to the Fair Housing and Equal Opportunity Housing efforts specifically indicated throughout this policy the PHA will affirmatively further fair housing goals and comply with equal opportunity requirements by the following actions:

1. By adoption of this policy, compliance by the Housing Authority with all fair housing and equal opportunity regulations and requirements, is certified.

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2. Encouraging owners to make suitable units located outside areas of poverty or racial concentration available for leasing in the program to provide participants with the broadest geographical choice in selection.

3. Provide available information and assist any applicants and/or participants if they believe discrimination has occurred to include provision of a Housing Discrimination Complaint form (HUD-903).

4. Recruitment and equal opportunity employment practices will be utilized to attract and recruit qualified minority applicants for any vacancies.

C. Reasonable Accommodation

The PHA will include in its application and interview process procedures to ensure that applicants and/or participants are aware of their opportunity to request reasonable accommodations. Should any applicant or participant indicate the need for reasonable accommodations, the PHA will make available to them a Request for Reasonable Accommodation form. It is the policy of the PHA to make every effort possible to provide reasonable accommodations for persons with disabilities when such requests are reasonable, economically, financially and administratively feasible.

The HA will utilize reasonable accommodations practices for any applications received by disabled individuals especially those involving sight or hearing impaired applicants.

The HA will not remove names from the waiting list that would violate the rights of a disabled, mobility impaired, or hearing impaired person. Reasonable accommodations for application or updates will be provided to disabled (mobility impaired or hearing impaired) applicants.

**VII. APPLICATIONS, ELIGIBILITY, VERIFICATION REQUIREMENTS,
AND WAITING LIST ADMINISTRATION**

A. Applications

Applications may be made in person at the PHA's Office, or as posted, unless the waiting list is closed. The time of closing and/or opening of the waiting list will be announced by publication in a local newspaper. Exceptions and special accommodations will be made for elderly or disabled (mobility or hearing impaired) or non-English speaking individuals that are unable to come into the office. Applications will not be mailed to potential applicants unless a reasonable accommodation is requested for those with a verifiable disability.

The PHA will utilize reasonable accommodations practices for any applications received by persons with disabilities especially those involving sight or hearing impaired applicants. A Telecommunication Device for the Deaf (TDD: 803-324-2720) will be made available for hearing impaired applicants or the applicant may communicate with the Applications Coordinator by e-mail: applications@rhha.org.

When the Section 8 waiting list is open to applicants, pre-applications will be accepted from eligible qualified applicants who meet the preference criteria in accordance with the terms set in the wait list opening announcement. All eligible applicant names will be placed on the pre-applications waiting list based on the date and time of application and preference indication (if any are specified in this Plan). At the time that the PHA is selecting applicants from the waiting list to issue vouchers, applications will be updated, information verified to determine continued eligibility, and selections made based on the selection criteria outlined later in this Plan. A non-refundable application fee, not to exceed \$20.00 per application, may be charged to all applicants prior to accepting an application for processing. The fee would allow the applicant to apply for any program with an open wait list at the time the application is taken. The application fee may be collected with the pre-application for the Section 8 Rental Assistance Program and with the formal application for the public housing program.

Applicants for the TBRA program will be selected from the Section 8 Wait List. Applicants for project-based vouchers designated for use only at the Courtyard at Highland Park will be taken on an as-needed basis from the property-based wait list maintained and supplied by the Courtyard at Highland Park for eligible applicants age 62 and over.

B. Eligibility Requirements

Applicants must meet all of HUD's eligibility requirements, to include but not being limited to the following:

- (1) Applicants and all family members must be citizens or nationals of the U.S. or

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eligible, qualified non-citizens who have eligible immigration status (see Definitions, Section V of this plan).

(2) Head-of-household applicants must be 18 years of age or older to be eligible for assistance.

(3) Program participants must be income eligible based on gross income (see Attachment 1 for income inclusions and exclusions) that is below HUD's published very-low income limits for the PHA's jurisdictional area. The only exceptions to the very low income limits are the following categories considered by HUD as "Special Admissions" and are not subject to being placed on the PHA's waiting list and/or waiting list requirements as set forth herein:

(a) A low-income family that is "continuously assisted" under the 1937 Housing Act and defined as follows: any family that is already receiving assistance (no interruption in assistance) under any 1937 Housing Act program when the family is admitted to the certificate or voucher program.

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

(c) A low-income non-purchasing family residing in a Hope 1 (HOPE for Public and Indian Housing Ownership) or HOPE 2 (HOPE for Homeownership of Multifamily Units) project.

(d) A low-income non-purchasing family residing in a project subject to a homeownership program under 24 CFR 248.

(e) A low-income family or moderate-income family that is displaced as a result of the prepayment of the mortgage or voluntary termination of an insurance contract on eligible low-income housing.

(f) A low-income family residing in a HUD-owned multifamily rental housing project when HUD sells, forecloses or demolishes the project.

(g) A low-income family that qualifies for voucher assistance as a non-purchasing family residing in a HOPE 1 or HOPE 2 project.

(4) The PHA will determine the income eligibility by comparing the family's annual gross income to the HUD-established extremely-low, very-low or low-income limit for the area. The applicable income limit for selection purposes is the highest income limit for the family unit size for the areas in the housing authority's jurisdiction. The applicable income limit for admission is the income limit for the area where the family is initially assisted. The family, including a portable family, who is not a current program participant, must be income eligible in the area where they are first assisted.

C. Definition of a Family

(1) A family is defined as a single person or a group of persons consisting of two or more elderly persons or disabled persons living together, or one or more elderly, near-elderly, or disabled persons living with one or more live-in-aides. The PHA includes in its definition of a family: one or more persons related by blood, marriage or operation of the law, one of whom will be an adult (age 18 or older) who will live regularly together in the unit (including foster children), or persons who can verify a stable relationship, e.g., common law marriages as recognized by the State of South Carolina, or a relationship that has existed for a reasonable period of time (one year or more).). Any other relationship or duration of relationship would need to be approved by the Executive Director.

(2) A family includes a family with a child or children.

(3) A single person may be:

- a. An elderly person.
- b. A near-elderly person.
- c. A displaced person.
- d. A disabled person.
- e. A single, pregnant female (physician certification may be required).
- f. Any other single person.

(4) Dependents must meet the HUD definition of dependent, have evidence of the family's residence as their legal residence, and/or in cases where the head-of-household is in the process of obtaining custody or adopting an individual under the age of 18, guardianship documentation or evidence of reasonable likelihood of success must be provided. Copies of tax returns that indicate the "claiming" of a dependent may be required. A child who is temporarily (less than ninety (90) days) away from the home because of placement in foster care is considered a member of the family. In cases of joint custody arrangements, the child/children can be considered a member of the family if the applicant/participant has primary custody.

(5) Remaining family members (provided that the person(s) are not minors, that the children have not been removed from the home because of abuse or neglect, that the resuming Head of Household was not the perpetrator of spousal abuse, and that the resuming Head of Household meets the PHA selection criteria and would be a responsible participant of the program). Any remaining family members that are minors must have an adult (over the age of 18 years) that qualifies under the selection criteria listed herein and the adult must provide legal guardianship documentation in order to be designated as a head-of-household. This determination will be made at the discretion of management and will be made based on the history of responsible participation in the program. A temporary head-of-household designation can in no way be construed as a permanent head-of-

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household.

D. Denial of Assistance

The application will be reviewed and any ineligible applicants will be promptly notified (within ten days from the date of verification of accurate information) in writing and provided with the reason for the decision and an opportunity to request an informal review of the decision as specified in this plan.

The informal review process will include a prompt written notice of the determination to include the reason for the decision, the applicant's right and how to request an informal review (must be received within ten (10) days from the date of the notice to the applicant), and an explanation of the informal review process.

Applicants will be notified should the application be found to be ineligible for assistance, variance in the determination of bedroom size as indicated on the original application, or misrepresentation on the application. Applicants will be notified in writing of such determinations and given the opportunity to request an informal review.

Denials of eligibility, screening or program participation may include but are not limited to criteria that are directly related to an applicant's ability to fulfill the obligations of an assisted lease and favorably represent the Section 8 program and may include but are not limited to the following:

1. Persons who do not meet HUD's eligibility criteria, including the eligibility criteria for students.

2. Past participants in the Section 8 programs and former Public Housing residents of any PHA who failed to satisfy any liability to a PHA for unpaid rent or other amounts due under the lease will be denied housing assistance unless the liability is paid in full. Applicants owing an amount of \$1,000.00 or greater to any landlord will be denied housing assistance unless documentation is received within the allowed time that the debt is satisfactorily resolved. The PHA will notify the applicant of ineligibility and the name will be dropped from the waiting list. If the liability is paid in full, re-application for housing may be made provided the program is open for applications. Any applicant that has committed fraud, bribery or any other corruption in connection with any federal or state assistance program will be determined ineligible.

3. Past participants in the Section 8 programs and/or current or former Public Housing residents of any Housing Authority who have been evicted from Public housing or are currently under eviction or on probation for poor housekeeping practices, disputes with other residents, criminal domestic violence incidences, allowing unauthorized individuals to occupy the residence, failure to pay rent or other amounts due under the lease on time, allowing utility services to be disconnected or who has otherwise demonstrated behavior

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that may preclude abiding by family obligations of the program will be denied.

4. The PHA will enforce HUD's "**One Strike, You're Out**" procedures. As part of determining eligibility and/or continued assistance determinations, the PHA may conduct criminal background checks (to include all adult family members) either by obtaining copies of records or require applicant/participant to furnish such copies of criminal records. At any time, the PHA may deny assistance to an applicant, or terminate assistance to a participant family, if any member of the family has committed or commits any drug-related criminal activity or violent activity or violent criminal activity (to include those convicted of the illegal manufacturing or producing of methamphetamine (speed) or sex offense activity or arson.

If the PHA seeks to deny or terminate assistance because of illegal use, or possession for personal use, of a controlled substance, consideration will be given by the PHA in determining denials or terminations of assistance for such use or possession by a family member, if the family member can demonstrate that he or she: (1) has an addiction to a controlled substance, has a record of such an impairment, or is regarded as having such impairment; and (2) is recovering, or has recovered from, such addiction and does not currently use or possess controlled substances. The PHA may require a family member who has engaged in the illegal use of drugs to submit evidence of participation in, or successful completion of, a treatment program as a condition to being allowed to reside in the unit, and may require supporting evidence that the individual has remained drug-free for at least two (2) years. The PHA reserves the right to deny eligibility if there is reasonable doubt of the rehabilitation in order to protect the health, safety and/or right to peaceful enjoyment of premises and program integrity.

The PHA may deny or terminate assistance if the preponderance of evidence indicates that a family member has engaged in drug-related criminal activity or violent activity or violent criminal activity, regardless of whether the family member has been arrested or convicted. Police records, destruction of property, drug-related/substance use or abuse, possession or distribution, alcohol use or abuse, or any type sexual misconduct or any applicant who has been charged with any Level 1 or Level 2 crimes (felonies, misdemeanors, etc.) may be denied the privilege of applying for housing for five years from the date of arrest, conviction or release from a correctional institution and may be denied eligibility for life.

5. Have engaged in or threatened abusive or violent behavior toward any PHA staff or resident.

6. Have a family member who is a lifetime registrant as a sex offender.

7. The PHA reserves the right to deny assistance based on any activity that could adversely affect the health, safety, and right to peaceful enjoyment of assisted premises or any other activity or behavior that may compromise program integrity or that could lead to landlord's reluctance to place properties under the Section 8 program. The PHA may deny assistance to any applicant who has previously been

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terminated for lease/contract violations or violations of family obligations during a previous period of assistance with a PHA, other HUD-assisted agency, or other landlord.

8. Any misrepresentation of applicant's information or refusal by applicant to provide information (such as failure to provide absent parent verification, failure to disclose former residences and landlords, required mailing addresses, etc.) will be considered grounds for denial of program participation or termination of assistance. Any applicant providing false, incomplete or inaccurate information at the time of application will immediately be determined ineligible for assistance; fraud or misrepresentation of information is grounds for denial or termination of housing assistance at any time the misrepresentation is discovered.

9. The PHA must receive income information verifying that an applicant is eligible within a period not greater than sixty (60) days before issuance of a Housing Choice Voucher and 120 days for a TBRA voucher.

10. Applicants that have been determined ineligible must wait at least one year before re-application after receipt of an ineligibility letter, provided the program is open and accepting applications.

E. Verification Requirements

Applicants and participants must sign consent and release of information forms as required by the PHA and HUD so that the PHA can obtain verification of income and eligibility status. Failure to sign consent and release forms will result in ineligibility and/or termination of assistance. Verification requirements include, but are not limited to the following:

(1) Income and deductions must be verified by third-party verification. Verification forms will be sent by mail to the appropriate third party with a request that the form be returned by mail. In the event that the verification is not possible due to unwillingness by source to respond or that the information is not returned within a four-week period, a notation to the file must be made and the staff must attempt to obtain third-party oral verification or such other means available. Staff will use a documented contact form for telephone verifications. Notarized statements will be used as a last resort.

(2) Income verifications cannot be greater than sixty (60) days before the issuance of a voucher and all other verifications may not be greater than 120 days.

(3) Social Security number verifications are mandatory for all program participants. Acceptable verification includes: valid social security cards; an identification card issued by a Federal, State or local agency, employer; medical insurance agency; earning statements from employment; IRS form 1099; or benefit award letters from government agencies. See Section IV in the event of failure to provide requested SSN verification.

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(4) Copies of birth certificates or other documentation as designated by the PHA for all family members must be made available. Birth certificates or appropriate legal documents listing parents names may be required to prove dependency. Certification of citizenship forms must be executed by participants of the program.

(5) Child care deductions will only be given for reasonable rates (based on customary and prevailing rates at local childcare centers) that are evidenced by receipts or third-party verification.

(6) Verifications must be obtainable for all other allowable deductions from income.

(7) Any other verifications that will indicate suitability for tenancy such as criminal background determinations, sex offender records, etc.

VERIFICATION STANDARDS AND PROCEDURES

Income verification plays an intricate role in determining family eligibility and the amount of rental subsidy received by the family. All information in the tenant family's file must be verified and properly documented. The family must provide required information, documentation and sign required release forms. All adult family members age 18 and over (or his/her legal representative) must sign the required forms which may be used between regular reexaminations to verify unreported income. Release forms will be valid 15 months from the date of signature. Applicants, residents and participants must certify that all income and other information is accurate and complete. The PHA will conduct a thorough interview for the purpose of obtaining complete and accurate household income information to properly determine the family's correct amount of subsidy and rent. A family budget or statement of financial responsibility may be required of families reporting zero or extremely low income; PHA will attempt to determine the source of income when the family's regular expenditures conflict with their claim of zero income, utilizing all means available, including running credit reports, using EIV/TASS, SWICA's, The Work Number, performing home visits and proper interviewing techniques to disclose any unreported source of income.

The PHA will document all sources of income to the household as well as any deductions claimed by the family. The PHA will use third-party written verification as the most desirable and preferred method, to be received directly from the third party via mail or fax; the third party verification must not be hand-carried by the family. When third party written verification has been requested and not received within a reasonable period of time, PHA staff will send a "second request". When third party written verification is not possible to obtain or not timely, third-party oral verification may be used as an alternative. A telephone interview by the PHA staff should include date and time of contact, name and source of information, PHA staff name and signature, summary of information and

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rationale for using oral verification. When third party written or oral documentation cannot be obtained, the family may be requested to provide documentation such as pay stubs (preferably consecutively for six weeks) bank statements for all family members (preferably for six months), award letters or benefit checks, child support payment cancelled checks and/or award letters, IRS tax forms (including Form 1099, Form 1040, Form 4506 and Form 8821) or W-2 forms. When a discrepancy exists between what has been reported and the verification, the PHA should contact the source of the third-party verification to resolve the issue.

Family certification or declaration may be used only when other methods are impossible. The RHHA may use notarized statements or signed affidavit from the family attesting to the information; the RHHA will clearly document why other verification methods were not used.

Zero income families may be contacted on a quarterly basis concerning the status of their household income. Families that have no source of income for a 30-day period will be advised to seek assistance from supportive agencies (DSS, Job Service, etc.). Families that have no source of income for a 30-day period will be required to submit statements of survival until employment or other means of financial support is obtained. The PHA may require specific documentation that would indicate that the family is unable to obtain TANF or income assistance from other programs, unable to work, or unable to participate in local job training services. The RHHA may request a credit report on these families for rent determination purposes to see if there are any amounts paid to the household on a regular basis.

New Applicants

In working with self-employed applicants, there is no reduction in management's responsibility to document income eligibility. If adequate documentation cannot be obtained, the application for occupancy should be denied. Any applicant who self-employed must be able to provide at least two business tax returns from the same business so that management will have a reasonable basis for an income projection, or at a minimum, one Federal Tax Return with supporting schedules. The Executive Director or designee must approve any special circumstances.

VIII. WAITING LIST ADMINISTRATION

If the number of applicants on the waiting list is such that there is no reasonable prospect that applicants could be issued a voucher within one year from the date of application, the PHA may suspend taking applications (close the waiting list).

Except for special admissions (see Definitions, Section V) such as persons received by the PHA under portability or project-based vouchers designated for use at the Courtyard at Highland Park and any program interchanges, selections must be made from the PHA Section 8 waiting list. The PHA will utilize the Selection Section of this Plan to select participants and will adhere to the requirements in the EOHP requirements contained herein (See Equal Opportunity Housing section).

The waiting list must contain the following for each applicant: Applicant name; date and time of application; qualification for preference (if any); and racial or ethnic designation of the head of household.

The PHA will update and purge the waiting list on an as-needed basis. Applicants will be sent update requests to ensure continued interest. Names will be removed from the waiting list for failure to respond to requests for information, missed appointments, application updates (failure to notify the PHA of a change of address), or if correspondence is returned from the Post Office. If the applicant did not notify the PHA of a move as required, the PHA will not be responsible for the applicant's failure to receive the updated request. If the letter is returned by the Post Office with a forwarding address noted, the PHA would resend the letter. Applicants will be given ten (10) working days to return the notice of continued interest.

The PHA will utilize reasonable accommodations practices for any applications received from disabled individuals especially those involving sight or hearing impaired applicants.

Applicants may be removed from the waiting list if current information is received from a landlord that indicates that the applicant is failing to abide by the terms and conditions of the applicant's lease, is under eviction procedures, owes an outstanding balance to the landlord, has utility services disconnected, has been allowing unauthorized persons to occupy the unit, has engaged in criminal violent or drug-related criminal activity, or has participated in disputes with other residents that has caused unrest and disharmony.

If the applicant did not notify the PHA of a move as required, the PHA will not be responsible for the applicant's failure to receive the updated request for information letter. If the letter is returned by the Post Office with a forwarding address noted, the PHA would resend the letter. Applicants will be given ten (10) working days to return the notice of continued interest. The application will be placed inactive if the applicant does not respond to contact letters or letters scheduling appointments.

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After an applicant has been offered assistance and refused an offer of assistance, the applicant's name will be removed from the waiting list. The PHA will not remove names from the waiting list that would violate the rights of a disabled, mobility impaired, or hearing impaired person. Reasonable accommodations for application or updates will be provided to disabled (mobility impaired or hearing impaired) applicants.

Applicants who accept TBRA vouchers (which are for short term rental assistance not to exceed two years with a maximum funding of \$7,500.00 per 12-month period) will remain fully eligible for a HCV even though they will be removed from the wait list. The Authority will generally issue an HCV to TBRA recipients at the time of the TBRA recipient's annual review if an HCV voucher is available. If the applicant declines the HCV whenever offered, the applicant will be treated as if they declined assistance and the applicant will not be considered for future HCV assistance. When the TBRA voucher is terminated, the applicant must reapply for HCV assistance if the HCV wait list is open and the applicant desires assistance. Upon availability of a Housing Choice Voucher, the applicant file will be updated. As TBRA assistance is limited to a set dollar amount, vouchers will normally not be issued to applicants without a consistent and steady source of income who meet the definition of a working family.

HUD approved the PHA to designate 84 vouchers for use only at the Courtyard at Highland Park, an elderly complex. The Courtyard at Highland Park maintains the wait list for these project-based vouchers and only those age 62 and older are eligible. As project-based vouchers become available, applicants are selected from a wait list that is maintained by the Courtyard at Highland Park by move-in date and time. Project-based voucher applications will be taken by Housing Authority staff on an as-needed basis and processed in a timely manner for effective voucher utilization.

The order of admission from the Section 8 waiting list will not be based on family size or the unit size for which the family qualified under the PHA occupancy policy. The PHA will not skip the family with the oldest date and time of application and selections will be made in accordance with the selection preferences outlined in this Plan. Should the PHA receive funding for a specified category of families, the PHA must select applicant families in the specified category.

The PHA will maintain a separate waiting list for the Section 8 program and its Public Housing program. If the waiting list for the Section 8 or Public Housing program is open, applicants must be offered the opportunity to have their name placed on either list. The PHA will not deny any admission preference, remove the applicants' name from other waiting lists (unless requested by the applicant in writing or in accordance with failure to respond as indicated above), or refuse to list an applicant on any other waiting list. Public Housing residents who receive HCVs must agree to execute a thirty-day notice to vacate the public housing unit prior to execution of a lease for an HCV assisted unit.

The PHA will give public notice that it will open the waiting list and/or that families

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may apply for housing assistance, by publication in a local newspaper of general circulation and also by minority media. The notice will comply with the HUD-approved Equal Opportunity plan and with HUD Fair Housing requirements. The notice will state any limitations on who may apply for available slots in the program. The PHA may advertise for specific types of applicants such as those qualifying for local preferences, and may include in the advertisement that applications from others (not in these categories) will not be accepted.

IX. SELECTIONS, EXCEPTIONS, BRIEFINGS, AND OCCUPANCY SIZE DETERMINATIONS

A. Selections:

The PHA will target at least 75% of admissions to families with incomes that do not exceed 30% of the PHA's area median income. The PHA may exercise its discretionary provisions of the regulations that permit fungibility between its Public Housing and Section 8 program in the targeting goals. The PHA may adopt and use a local preference based on income ranges in order to comply with required new admissions income targeting requirements. The Executive Director may, when necessary, direct that all applicants selected be at or below the 30% of median income target level when required to meet HUD's regulatory requirement. This requirement may be imposed for whatever period of time is needed to meet the targeting requirement.

Offers of a voucher will be based upon funding availability. No preference will be given to any specific form of disability.

Offers for housing assistance will be taken from the waiting list as follows based on the priority order and having the oldest date and time of application:

(1) Applicants that have a local preference as designated by the PHA in either of the following categories:

Preference	Description	Score
1	Non-Assisted Rock Hill Elderly/Near-Elderly/Disabled/Displaced/Veterans With Income	12
2	Non-Assisted Rock Hill Elderly/Near-Elderly/Disabled/Displaced/Veterans Without Income	11
3	Non-Assisted Out-Of-Town Elderly/Near-Elderly/Disabled/Displaced/Veterans With Income	10
4	Non-Assisted Out-Of-Town Elderly/Near-Elderly/Disabled/Displaced/Veterans Without Income	9
5	Non-Assisted Rock Hill Working Families (see Definitions)	8
6	Non-Assisted Rock Hill Not Working Families	7
7	Non-Assisted Out-Of-Town Working Families	6
8	Non-Assisted Out-Of-Town Not Working Families	5
9	Assisted Rock Hill Elderly/Near-Elderly/Disabled/Displaced Veterans	4
10	Assisted Out-Of-Town Elderly/Near-Elderly/Disabled/Displaced/Veterans	3
11	Other Assisted Rock Hill families by date and time	2
12	Other Assisted Out-Of-Town families by date and time	1

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(2) All others by the oldest date and time of application.

Applicants who own a habitable dwelling within 30 miles of the City of Rock Hill, South Carolina (or the Town of Great Falls, South Carolina for Great Falls applicants) and the dwelling is not up for sale and there are no extenuating circumstances that prevent the applicant from living in the home (victims of domestic violence, disputes over ownership) may not be approved for assistance or if approved, may be classified the same as an assisted applicant. Also see Attachment I: Asset Limit and Residency Ownership Prohibition.

(3) Offers to utilize TBRA vouchers will be made to applicants on the Section 8 Waiting List to applicants with regular and steady income, due to the 12-month maximum housing assistance payment of \$7,500.00. The PHA will attempt to issue a regular Housing Choice Voucher when TBRA participants come up for annual recertification provided that housing choice vouchers are available to issue at that time.

Up to the top ten (10) qualified applicants on the waiting list who have completed the formal application process may be considered frozen in the top 10 until such time as they are offered a voucher, removed from the wait list, or placed into inactive status. A change in preference by another applicant will not remove the approved applicant from the top 10. The applicant may be removed from the top 10 if the applicant failed to report information that would cause a change in preference.

Selection among applicants with the same priority will be according to the oldest date and time of application. Waiting list classifications must be based on a verification and documentation. If it is determined that an applicant indicated a selection priority but does not have a verified or documented selection priority, the PHA will notify the applicant in writing providing the reasons for the decision and the opportunity for an informal review of the determination.

Any unreported change (discovered during a verification update or at time of an offer) where an applicant failed to provide the required update, that causes a change in position on any waiting list, will be made effective immediately; Housing Authority staff will advise the applicant if the unreported information has changed his/her position on the waiting list and the offer of assistance will go to the next applicant on the list whose information is current.

B. Exceptions to the Order of Selection:

(1) Participants in any "special" (non-waiting list) assistance targeted by HUD for families living in specified units. See also Section VII. B. a-g.

(2) Participants displaced because of demolition or disposition of a public or Indian housing project.

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(3) Participants received from another PHA under the Statutory or Regulatory Portability requirements. (Does not apply to TBRA program.)

(4) If applicable, applicants willing to participate in the Family Self-Sufficiency program when it has been determined that there are no current program participants willing to enroll in the FSS program. The PHA may give a selection preference for up to 50% of its FSS slots to eligible families who have one or more family members currently enrolled in an FSS related service program (such as programs through DSS or any other local self-sufficiency program). The method of outreach will be by direct contact with such agencies or organizations. The PHA's selection for participants in the FSS program will be selected without regard to race, color, creed, religion, sex, disability, familial status or national origin.

C. Briefings:

Up to the top ten (10) qualified applicants on the waiting list who have completed the formal application process may be considered frozen in the top 10 until such time as they are offered a voucher, removed from the wait list, or placed into inactive status. A change in preference by another applicant will not remove the approved applicant from the top 10. The applicant may be removed from the top 10 if the applicant failed to report information that would cause a change in preference.

Applicants will be notified as their name nears the top of the waiting list for appointment times for an update of the application and verification process. Applications will be placed inactive for applicants who do not respond to the notification. All information including income, income from assets, eligible deductions, family composition, preference status (if applicable) will be verified and reviewed prior to enrollment.

Group/individual enrollment sessions (briefings) will be scheduled and applicants will be notified of the date and time. Should the applicant notify the PHA of their inability to be present at the enrollment session, the PHA will provide a rescheduled time; however, failure to attend such sessions will result in removal of their name from the waiting list. As indicated in Section VIII, Waiting List Administration, applicant names will be removed from the waiting list for failure to notify the PHA of a change of address.

Oral briefing sessions and packets of information will be given to families that are issued vouchers, to include but not limited to, the following:

- (1) A description of how the program works.
- (2) Family and owner responsibilities.
- (3) Where the family may lease a unit, including renting a unit inside or outside the PHA's jurisdiction.
- (4) In briefing a family that includes any disabled person, the PHA must take steps

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to ensure effective communication in accordance with 24 CFR 8.6 (auxiliary aids, TDDs, etc).

(5) Term of the voucher and PHA policy on extensions or suspensions of the term.

(6) Information on Fair Market Rents (FMRs), Payment Standards, utility allowance schedule, how the PHA determines the payment standard for a family, and how the PHA determines the total tenant payment and HAP amount.

(7) How the maximum rent is determined, if applicable.

(8) A statement of the policy of the PHA on providing information to owners.

(9) For welfare-to-work families, specification of any local obligations of a welfare-to-work family and an explanation that failure to meet obligations is grounds for PHA denial of admission or termination of assistance.

(10) Things the family must consider in choosing a unit, i.e., location of the unit and the PHA's jurisdictional limits, renting outside of poverty areas, condition of the unit, rent reasonableness, energy efficiency, tenant-paid or owner-paid utilities, area crime rate.

(11) Information on federal, State and local equal opportunity laws, and a copy of the housing discrimination complaint form.

(12) Other information to be provided will include, but not be limited to, the following: HUD brochures, lease addendum language, Request for Tenancy Approval form, subsidy and occupancy standards, lead-based paint information, list of accessible units that PHA knows of (for persons with disabilities), list of landlords, portability information, grounds for PHA terminations, and informal hearing procedures.

Failure of applicant to keep pre-scheduled formal application appointment, briefing appointment or contract/lease-up appointment without verifiable justification for the missed appointment will result in the applicant being placed inactive. Should the applicant notify the PHA of his/her inability to be present at the scheduled appointment, the PHA will provide a rescheduled time; however, failure by the applicant to notify the PHA prior to the appointment will result in removal from the waiting list and the application being placed inactive. Applicants would be eligible to reapply for assistance one year from the date of the action, provided that applications are being accepted at that time.

All applicants will execute and be given a Federal Privacy Act Notice. The information provided will not be otherwise disclosed or released outside of HUD, except as permitted or required by law. Failure to provide any of the requested information may result in a delay or rejection of eligibility approval.

D. Subsidy Standards/Occupancy Size Determinations:

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Occupancy standard/unit size will be determined at the time of enrollment based on the following criteria:

(1) A voucher will be issued for the smallest unit size consistent with program requirements and Housing Quality Standards.

(2) The bedroom size assigned will not require more than two persons to occupy the same bedroom.

(3) The PHA will make every attempt, based on funding availability, to assign persons of different generations (other than husband and wife) to separate bedrooms,

(4) The PHA will make every attempt, based on funding availability, to not require children to share a bedroom with a single parent.

(5) A child who is temporarily away from the home because of placement in foster care is considered a member of the family in determining unit size.

(6) Any live-in aide (approved by the PHA to reside in the unit) must be counted in determining the family unit size. (see Definition of Live-in Aide.)

(7) Bedroom size assignments may be made in accordance with HUD guidelines as follows:

No. Of Bedrooms	Minimum Person(s)	Maximum Person(s)*
0	1	2
1	1	2
2	2	4
3	3	6
4	4	8
5	5	10

* Exceptions to these standards will be permitted only for situations involving physician orders for separate bedrooms because of health problems (see Over-Subsidization restrictions), permitted circumstances of family members temporarily away from the housing unit, or if the family is willing or wants to move into a unit that deviates from the standards, e.g., landlord's approval of a mother and an infant living in a one-bedroom unit. Participants may be allowed to use non-sleeping areas as a bedroom (subject to landlord and PHA approval); however, the unit bedroom size will be determined by the PHA. Additional rooms for sleeping will not be counted as bedrooms unless the room has been redesigned as a bedroom (includes closet and HQS required openable window). In these exceptions, the PHA reserves the right to approve or disapprove such accommodations that may lead to unsafe or overcrowded conditions.

OVER-SUBSIDIZATION

A recent Inspector General audit on the HCV program noted instances of vouchers being issued for bedroom sizes that were greater than the number of family members, i. e. a 2 bedroom voucher for a one person household. While this situation can be justified (a room for special equipment for a disabled person), the over-issuance of the voucher size can result in an overpayment of HAP. Notice PIH 2008-20, dated April 16, 2008, provides guidance for dealing with possible over-subsidies.

The primary reason for issuing an additional bedroom with more units than the number of family members was related to live-in aides (LIAs *see Definition). Although a health care provider must document the need for a LIA, the LIA must be identified by the family and approved by the PHA first. PHAs may not approve an unidentified LIA, nor approve a larger unit for an unidentified LIA. Occasional, intermittent, multiple or rotating care givers do not meet the definition of the LIA since 24 CFR Section 982.402 (7) implies the LIA must reside with a family permanently for the unit size to be adjusted.

PHAs also may approve an additional bedroom for special medical equipment if the need is documented by a health care provider. This equipment must be verified by the PHA during the annual inspection of the unit. If the equipment is not present, the PHA must reduce the payment standard.

When the family composition reduces in size, the unit size authorized by the subsidy standards may dictate a reduction in the payment standard. The change in the payment standard must be applied at the next annual reexamination. The family may remain in the unit and pay the difference.

X. ENROLLMENTS, FORM OF ASSISTANCE, REQUEST FOR LEASE APPROVALS, LEASES

A. Enrollments

After October 1, 1999, the PHA will only issue Housing Choice Vouchers. See Section XII for the phase-in of the Housing Choice Vouchers for families that were receiving Section 8 Certificate or regular voucher assistance prior to October 1, 1999. Effective January 8, 2003 funding was made available on an annual renewal basis for TBRA vouchers.

B. Term of Vouchers and Requests for Tenancy Approval

Vouchers will be issued for a sixty (60) day period. Two thirty (30) day extensions (not to exceed an additional sixty (60) days) may be given at the discretion of the PHA under extenuating circumstances such as severe illness or hospitalization (documentation will be required), extremely large families seeking scarce larger bedroom units, persons

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needing units designed for the disabled, or for a unit that the family has located and repairs are in progress.

In the event a family includes a member with disabilities and requests an extension of the initial voucher term as a reasonable accommodation, the PHA must extend the voucher term up to the term reasonably required for that purpose.

The PHA may provide for suspension of the initial or any extended term of the voucher (if the family has submitted a request for tenancy approval prior to the term expiration) up to the time when the PHA approves or denies the request.

In the event that a unit is not found within the time frames outlined, the voucher expires, the applicant's name is removed from the waiting list, and the voucher is available for issuance to another family.

C. Requests for Tenancy Approval and Approval to Lease a Unit

A family may submit only one Request for Tenancy Approval at a time to the PHA; the PHA reserves the right to refuse Requests for Tenancy Approvals if the dwelling is not ready to be inspected. When the potential program participant returns a Request for Lease Approval, completed and executed by an owner within the time frames set forth above, an inspection of the unit will be conducted by the PHA within 15 business days of submission to PHA of Request for Tenancy approval (or a reasonable time in the event the unit is not available for inspection) to ensure compliance with the Housing Quality Standards (HQS). All potential program participants are informed of the HQS requirements during the briefing session to minimize unnecessary inspection of units that would not pass the inspection in a timely manner and to assist the family in locating a unit within the sixty-day period.

The following criteria must be met in order for a unit to be placed under the program:

1. The unit and owner must meet the eligibility requirements of the program;
2. The unit must pass the HQS inspection;
3. The rent must be rent reasonable; and

If the unit cannot be approved or the tenancy denied, the PHA will notify the family and the owner. If the problem can be cured, the notification will include any required actions.

Families will be advised during briefings that the PHA cannot execute HAP contracts and no HAP payments will be made in the event that the above conditions are not met. The family will also be advised that the PHA will not assume any responsibility for payments due under a lease unless and until a HAP Contract is executed.

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Any appointment scheduled for a participant to sign documentation to begin Section 8 Housing assistance that is not kept or not rescheduled prior to the scheduled appointment time will result in the participant being placed inactive and the voucher being revoked. Only by providing verifiable proof that an emergency existed at the time of the appointment that would have prevented the applicant/participant from calling or keeping the appointment would consideration be given for another appointment to be scheduled.

D. Leases

The tenant and owner must enter into a written lease for the unit. The owner's lease must be used if the owner uses a standard lease form for rental to unassisted tenants. In the event that the owner's standard form lease is used, the HUD-prescribed tenancy addendum must be attached. If the owner does not use a standard lease form, the owner may use the PHA model lease.

Any changes in the lease or rent must be in writing and provided to the PHA and tenant at least sixty (60) days prior to any such changes taking effect. Rent changes are subject to the PHA and HUD rent reasonableness requirements.

The PHA must approve any new tenancy and a new HAP contract must be executed under any of the following circumstances:

- (i) in the event of any change to the lease regarding responsibility for utilities or appliances;
- (ii) changes to the term of the lease; or
- (iii) if the family moves to a new unit even if the unit is in the same building or complex.
- (iv) If the owner requests a new lease.

XI. INCOME DETERMINATIONS, DEDUCTIONS FROM INCOME, AND HOUSING ASSISTANCE PAYMENT CALCULATIONS

A. Income Determinations

Income will be based on the anticipated total income from all sources (unless indicated on Attachment 1, Income Exclusions or any subsequent ruling by HUD concerning Income Inclusions and Exclusions), including net income derived from assets (actual and/or imputed), receiving by the participant family, for the 12-month period following the effective date of initial determination or re-examination/re-certification.

To be eligible for EID, the qualifying event must occur after admission, or in other

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words, while the individual is residing in public housing or assisted housing. Pre-qualifying income is the income reported/certified just prior to the participant reporting the EID qualifying event. Unreported months (resulting from a loss of job not properly reported to the Housing Authority) will count towards the exclusion period.

In the event that it is not feasible to anticipate income for a 12-month period, the PHA may use the annualized income anticipated for a shorter period of time, or in the event an anticipated amount cannot be determined (such as for temporary or seasonal employees) the income can be determined by using the previous 12-month period.

Families whose welfare assistance is reduced specifically because of fraud or failure to participate in an economic self-sufficiency program or comply with a work activities requirement will not have their rent reduced based on the welfare benefit reduction (excludes persons that benefit is reduced due to a lifetime limit or where a family has complied with program requirements but cannot obtain employment). The PHA will obtain verification of such benefit reduction from the welfare agency.

B. Deductions from Income

Deductions (as permitted by Federal Regulations) from gross income for rent calculation purposes are set forth in Attachment 1 of this plan.

C. Housing Assistance Payment Calculations

After October 1, 1999, the PHA will only issue Housing Choice Vouchers (HCV). See Section XII for the HCV phase-in and necessary calculations for families that were receiving Section 8 Certificate or regular voucher assistance prior to October 1, 1999.

The PHA will utilize the new calculations for housing choice vouchers issued after October 1, 1999 (See Section XIII).

XII. HOUSING CHOICE VOUCHER PHASE-IN (FOR FAMILIES RECEIVING ASSISTANCE IN CERTIFICATE OR REGULAR VOUCHER PROGRAM PRIOR TO OCTOBER 1, 1999 (See 982.502)

A. Regular Certificate: Program assistance under a regular certificate must terminate under any outstanding HAP contract (and HAP contract automatically terminates) at the effective date of the second regular reexamination of family income and composition after October 1, 1999. The PHA will give at least 120 days written notice of such termination to the family and owner of such termination. If the family has continued to meet program obligations and the PHA has no reason to terminate assistance under

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program guidelines, the PHA will offer the family the opportunity for continued assistance under the HCV program.

B. Over-FMR Certificate: Tenancy under any pre-merger over-FMR Certificate tenancy will be considered and treated as tenancy under the voucher program including calculation of the voucher housing assistance payment (see Section XIII) except the loss of shopping incentive (specifically, use the lower of the payment standard minus TTP or gross rent minus TTP) shall not occur until the second regular reexamination of family income and composition on or after October 1, 1999. Prior to the second regular reexamination, the PHA must use the lower of the payment standard or monthly gross rent in the calculations (utilizing the FMR/exception rent limit as the payment standard).

C. Voucher (or Housing Choice Voucher) Program: Tenancy under a pre-merger voucher HAP contract must be treated as tenancy under the HCV program except for the loss of shopping incentive (specifically, use the lower of the payment standard minus TTP or gross rent minus TTP) will not occur until the second regular reexamination of family income and composition on or after October 1, 1999. Prior to the second regular reexamination, the PHA must use the lesser of the payment standard or monthly gross rent in the calculations (utilizing the higher of the initial payment standard at the beginning of the HAP term OR the payment standard as determined in Section XIII.)

D. TBRA Voucher: Tenancy under the TBRA rental assistance contract, i.e., the HUD Home program; maximum funding is a maximum of \$7,500.00 per 12-month period. TBRA may be renewed at the Authority's option for an additional 12 months if funding is available. Current PHA Admin Plan and Section 8 Administrative Plan guidelines also govern the operation of the TBRA program. The Authority's Payment Standards and utility allowance schedule will be used for the TBRA program.

E. Project-Based (Designated) Voucher: Tenancy under the Designated Section 8 voucher HAP contract must be treated as tenancy under the HCV program except for the option of portability. Participants with a designated voucher cannot exercise portability to another PHA's jurisdiction. The voucher has been designated for a specific complex so move would be limited to transfer within the confines of that complex.

XIII. PAYMENT STANDARDS AND MONTHLY HAPS

A. Payment Standards

Payment standards are established by the PHA for each FMR area and for each exception rent area (if applicable) and are reviewed annually. The payment standard for each unit size will be established at an amount between 90% and 110% of the current FMR as published by HUD unless an HUD exception rent is approved. The payment standard

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for project-based vouchers designated for use only at The Courtyard at Highland Park will be established separately within the HUD allowed ranges.

The PHA will utilize local market data gathered in its rent reasonableness studies, success rates of families in locating units, and the percentage of annual income that families are paying for rent to determine payment standards.

B. Payment Standard for a Family

1. Payment standard for the family are based on the **lower** of:

(i) the payment standard amount for the family unit size; or

(ii) the payment standard amount for the unit size of the unit rented by the family.

2. If the dwelling unit is located in an exception area, the PHA must use the appropriate payment standard amount for the exception area.

3. During the first 24 months of the HAP contract term, the payment standard for the family is the higher of:

(i) the initial payment standard (at the beginning of the contract term), as determined in paragraph # 1 above, minus any amount by which the initial rent to owner exceeds the current rent to owner; or

(ii) the payment standard, as determined in paragraph #1 above, as determined at the most recent regular reexamination of family income and composition effective after the beginning of the HAP contract term.

4. After the first 24 months of the HAP contract term, the payment standard for a family is the payment standard as determined in #1 above, as determined at the effective date of the most recent regular reexamination of family income and composition after the beginning of the HAP contract term.

5. At the next regular reexamination following a change in family size or composition that causes a change in family unit size during the HAP contract term, and for any examination thereafter during the term, the **new** family unit size must be used to determine the payment standard and the provisions of 3(i) above do not apply.

C. Monthly Housing Assistance Payments

The PHA will pay a monthly HAP on behalf of the family that is equal to the **lower** of:

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1. The payment standard for the family minus the total tenant payment; OR
2. The gross rent minus the total tenant payment.
3. The gross rent minus maximum family share (only applies at initial move-in.)

NOTE: TBRA voucher Housing Assistance Payments may not exceed \$7,500.00 in a 12-month period, regardless of the amount of income to the family. After the maximum assistance has been paid in a 12-month period, no further housing assistance payments will be paid by the Housing Authority; the family will be fully responsible for the contract rent payment to the landlord. TBRA assistance may be renewed for an additional 12 months at the Authority's option if funding is available, not to exceed 24 months total assistance. The PHA will make every effort to issue a Housing Choice Voucher to the TBRA participant at the first annual recertification, provided that a housing choice voucher is available for issue.

XIV. RENT REASONABLENESS AND RENTAL INCREASES

A. Rent Reasonableness:

The PHA may not approve a lease until the PHA determines that the initial rent to owner is reasonable. Rent reasonableness must be redetermined for rent increases, if there is a five percent decrease in published FMRs (in effect 60 days of contract anniversary), if directed by HUD, or at any other time the PHA deems necessary.

Rents for units placed in the Section 8 program must be considered rent reasonable for comparable, unassisted units in the area or unassisted units. The program regulations permit the PHA to disapprove any unit that is not considered rent reasonable. Rent reasonableness documentation will be maintained for all units placed under the Section 8 program.

The PHA will maintain and update periodically a rent reasonableness guide of unassisted units to assist in this process. The PHA's process will include a comparison that will include the following criteria:

1. The location, quality, size, unit type, and age of the contract unit; and
2. Any amenities, housing services, maintenance and utilities to be provided by the owner in accordance with the lease.

Owners will, by accepting each monthly housing assistance payment, certify that the rent to owner is not more than rent charged by owners of comparable unassisted units in

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the premises or area. Owners must give the PHA information requested by the PHA on rents charged by the owner for other units in the premises or elsewhere.

B. Rental Increases:

After the initial 12 months under a HAP contract, owners that want a rent increase must submit a written request to the PHA (and provide a copy to the tenant) at least sixty (60) days prior to the annual recertification date. In order to receive a rent adjustment, the owner must have complied with all requirements of the HAP contract and HQS during the year before the annual anniversary date. The request for an increase must include verification, either by the owner or the PHA's Inspections Department that the new rent is reasonable for the area where the property is located.

The adjusted rent to owner equals the lesser of:

- (1) The reasonable rent (as most recently determined or redetermined by the PHA in accordance with the requirements of this policy, or
- (2) The amount requested by the owner not to exceed the HUD published Annual Adjustment Factor

B. Rental Increases for Subsidized Projects:

The rent to owners in an insured or non-insured Section 236 project, a Section 515 project, a Section 202 project, or a Section 221 (d)(3) project must be adjusted to follow the subsidized rent. The Section 8 annual adjustment factors are not to be used for adjustments in subsidized projects and HUD does not permit special adjustments.

The PHA has discretion to reduce the initial rent to owners because of other governmental subsidies, including tax credits, tax exemption, grants or other subsidized financing for regular tenancy.

XV. HOUSING QUALITY STANDARDS

A. Inspections:

All housing units must have an initial and annual inspection and must pass the Housing Quality Standards (HQS) as set forth in the Code of Federal Regulations, HUD Handbooks, and pertinent State and local laws to be placed under the Section 8 program. In addition, the PHA may require that units comply with the minimum local Housing Code. As permitted by the Federal regulations, the PHA requires that all windows that are designed to be "openable" have window screens.

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When possible, the PHA will request that the owner be present during the initial inspection; however, in any case, results of the inspection will be provided to the owner and family as soon as possible after the inspection.

The PHA will use its best efforts to execute the Housing Assistance Payment (HAP) contract before the beginning of the lease term; however, the HAP contract cannot be executed until a unit passes the above requirements and the participant has executed the lease agreement. Failure of the participant to execute the lease or failure of the landlord to execute the Housing Assistance Payment contract within five (5) working days of notification by the PHA can result in termination of assistance. Potential participants will be advised that they are responsible for all rent should they enter into a lease agreement with an owner prior to passing inspection and the execution of a HAP contract with the owner.

Failure of the program participants to keep rescheduled inspections appointments (after the second-appointment notification) without verifiable justification for the missed appointment can result in termination of the housing assistance as indicated in this plan.

B. Annual Inspections:

Annual inspections must be made on each unit under the program or before the annual re-certification period for the participant or as required by HUD.

C. Move-out Inspections:

Move-out inspections will be conducted, when it is deemed necessary, by the PHA and in accordance with this plan.

D. Quality Control Supervisory Inspections:

Supervisory inspections will be done during each calendar year on the number of units as specified in the code of Federal Regulations by a person designated by the Director of the Housing Authority (must be someone other than the Inspector). A separate Quality Control Log will be maintained for the supervisory inspections.

E. Units Failing Housing Quality Standards:

Owners and participants will be notified in writing of all unit deficiencies and fail items and a timetable for correction. Emergency item problems, defined as items that could be a threat to health and/or safety (e.g. electrical hazards, smoke alarms, egress) will necessitate contact by telephone (followed by correspondence) and must be corrected within 24 hours. Failure of the participant/owner to correct emergency items will result in the immediate termination of the contract without adherence to the notice requirements.

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All other non-emergency repairs must be done after notification by the PHA within a reasonable time (as prescribed by the PHA) – normally up to 30 days after notification. An extension may be granted for items such as painting or roofing where health and safety are not an issue, and weather does not permit the repairs within the normal time period. Extension requests should be in writing and provide an provide the revised completion date. Housing Quality Standard fail items not corrected in the time frames provided by the PHA's written notification by the responsible party (owner or participant family) would result in termination of the HAP contract. Participants who have continued to meet the program requirements will be provided with a voucher to find another unit.

In the event that HQS inspections determine that there are serious housekeeping problems, the PHA will notify the family and owner in writing of the conditions and strongly recommend that the owner take whatever action necessary to include conducting more frequent inspections. The correspondence will include notice that the unit may fail inspection based on the unit's failure to meet the required decent, safe, and sanitary requirements of the program and could lead to HAP contract termination.

XVI. LEASE/OWNER APPROVAL, SECURITY DEPOSITS, UTILITIES AND HAP CONTRACTS

A. Lease/Owner approval.

(1) Nothing in this plan or in the Federal regulations intend to give any owner any right to participate in the housing programs. The PHA will not approve a unit under any of the following conditions:

(a) If information has been provided that the owner is debarred, suspended, or subject to a limited denial of participation under 24 CFR part 24.

(b) If directed by HUD that the federal government has instituted an administrative or judicial action against the owner for violation of the Fair Housing Act or any other federal equal opportunity requirement, and such action is pending; or a court or administrative agency has determined that the owner violated such requirements.

(c) If the owner has violated obligations under a housing assistance payments contract under Section 8 of the 1937 Act (42 U.S.C. 1437f).

(d) If the owner has committed any fraud, bribery or any other corrupt or criminal act in connection with any federal housing program.

(e) The owner has engaged in any drug-related criminal activity or any

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violent activity or violent criminal activity.

(f) The owner has a history or practice of failing to terminate tenancy of tenants of units for activity engaged in by the resident, any member of the household, a guest or another person under the control of any member of the household that:

- (i) threatens the right to peaceful enjoyment of the premises by other residents;
- (ii) threatens the health or safety of other residents, PHA employees, or of owner's employees;
- (iii) threatens the health or safety of or the right to peaceful enjoyment of their residences, by persons residing in the immediate vicinity of the premises; or
- (iv) is drug-related criminal activity or violent activity or violent criminal activity

(g) The owner has a history or practice of non-compliance with the HQS for units leased under the programs of the PHA or any other federal housing program.

(h) The owner has a history or practice of renting units that fail to meet State or local housing codes.

(i) The owner has not paid State or local real estate taxes, fines or assessments.

(j) If the owner is the parent, child, grand-parent, grandchild, sister, or brother of any member of the family, unless the PHA determines that approving the unit would provide reasonable accommodation for a family member who is a person with disabilities. This restriction is applicable at the time a family initially receives assistance (not for continued assistance with approval of a new unit).

2. Owners will be advised that the PHA has not screened the family's behavior or suitability for tenancy and that such screening is the owner's own responsibility. Listing of a family on the PHA waiting list, or selecting a family for participation in the program, is not a representation by the PHA to the owner about the family's expected behavior or suitability for tenancy. The PHA must give the owner information it has as to the family's current address and the name and address (if known) of the landlord at the family's current and prior address. The PHA may give the owner information about the family's tenancy history or about any drug-trafficking activity by the family members.

All owners and families will be provided the same types of information.

3. The PHA will utilize the owner's lease form that the owner uses for other

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unassisted units or if the owner does not have a standard form, the PHA will provide a standard form lease. The Section 8 staff must review all owner's leases for HUD required provisions (see Regulation 982.308 for requirements) and prohibited lease content prior to execution. The HUD Lease Addendum form must be executed and attached to all owner lease forms in order for the unit to be accepted under the program. In the event the owner refuses to execute the HUD Lease Addendum, the PHA cannot execute a HAP contract with the owner.

B. Security Deposits.

Effective on and after October 2, 1995, owners may collect a security deposit from the tenant; however, the security deposit may not be in excess of amounts charged by the owner to unassisted tenants.

Leases and HAP contracts executed prior to October 2, 1995 may continue, unless terminated for any reason, if the owner does not desire to change the security deposit amount to the above set forth allowable amount (prior to October 2, 1995, the security deposit was the greater of one month's TTP or \$50.00). Vacancy loss amounts and/or damage claims remaining under the old version of the HAP Contract will be determined in accordance with the executed HAP Contract and the Federal Regulations.

For contracts initiated after October 2, 1995, Landlords will be advised to collect market rate security deposits for unassisted units. Should the tenant vacate the unit owing unpaid rent or amounts for damage claims, the PHA is not responsible for any reimbursement to the owner should the security deposit be insufficient to cover amounts the tenant owes under the lease. Owners will be advised that it will be necessary to collect any balances owed from the tenant.

Any unused or unclaimed portion (amounts owed by the family to the owner for unpaid rent or amounts owed under the lease) of a security deposit must be refunded to the family by the owner in accordance with South Carolina Landlord and Tenant laws.

C. Utilities.

Prior to any HAPs being paid to an owner, the family must submit documentation that indicates the utilities have been placed in the name of the head-of-household and have been turned on, unless the utilities are included in the contract rent. Participants may be required to prove that the utilities are continued by the family.

The PHA will adopt and update, as necessary, the utility allowance schedule to be used for computing utility allowances. If there has been more than a 10% change in the utility rates in the jurisdictional area of the PHA, the PHA must revise the utility allowance schedule.

If the family is entitled to receive a utility check, the utility check will normally be paid

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directly to the utility company designated by the family's head of household.

The PHA must use the appropriate utility allowance for the size of dwelling unit actually leased by the family.

The PHA must approve a utility allowance which is higher than the applicable amount on the schedule should same be requested by a family that includes a person with disabilities. The PHA will use its discretion in considering a "reasonable" amount of increase based on individual circumstances.

D. HAP Contract.

The PHA will use its best efforts to execute the Housing Assistance Payment (HAP) contract before the beginning of the lease term; however, the HAP contract cannot be executed until a unit passes the above requirements and the participant has executed the lease agreement. The Housing Assistance Payment (HAP) contract must be executed no later than 60 calendar days from the beginning of the lease term. Failure of the participant to execute the lease or failure of the landlord to execute the Housing Assistance Payment contract within five (5) working days of notification by the PHA of the end of such period can result in termination of assistance. Any HAP contract executed after the 60-day period is void, and no HAPs will be paid to the owner. Potential participants will be advised that they are responsible for all rent should they enter into a lease agreement with an owner prior to passing inspection and the execution of a HAP contract with the owner.

Upon execution of the HAP contract, the unit passing inspection, and the move-in date of the participant, the PHA will commence payments on behalf of the family. Payments will continue until the contract is canceled/terminated or the family's total tenant payment equals gross rent. The termination of eligibility at such point will not affect the family's other rights under its lease, nor will such termination preclude the resumption of payments as a result of later changes in income (for a period not to exceed 180 days), rents or other circumstances during the term of the contract. Eligibility may be terminated in accordance with the contract requirements for failure to submit requested verifications, failure to meet any of the disclosure and verification requirements of the program, failure to comply with the reexamination requirements set forth herein, and/or failure to sign and submit consent forms. The HAP contract automatically terminates when there are no housing assistance payments made on behalf of the family for a period exceeding (1) one hundred eighty (180) days for units under HUD HAP Contract forms with print date of 9/95, or (2) one year after the last housing assistance payment on behalf of the family under HUD HAP Contract forms with a print date prior to 9/95.

HAP payments will be prepared so that owners will receive checks no later than the tenth day of each month. Payments will be issued on or about the 15th day of the month for any HAP contracts not fully processed in the computer system for any reason such as initial lease-up, rent adjustments, etc.

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Upon inspection by the PHA, written notification of any tenant-caused damage will be reported to the family and the owner. Failure of the family or the owner to correct any failed housing quality standards, regardless of responsibility, is grounds for termination of the HAP. The PHA will provide written notice of any such HAP termination to the family and the owner.

The PHA will abate payment or housing assistance in part or in whole (depending on the date repairs were completed) if it is determined that the owner/landlord is responsible for and is not meeting obligations under the HAP contract for maintaining and operating the unit according to the Housing Quality Standards or any other standards established in the lease or by this policy. A written notification of such abatement will be sent to the landlord and resident. Termination of the HAP contract may occur in the event that a unit continues to fail Housing Quality Standards after the time period provided by the PHA for repair has passed.

E. Lease Terminations by Owners

(1) The owner may not terminate the tenancy except on the following grounds:

- (a) Serious or repeated violation of the lease terms and conditions;
- (b) Violation of federal, State or local law that imposes obligations on the tenant in connection with the occupancy or use of the premises; or
- (c) For other good cause.

(2) The family is not responsible for payment of the portion of the rent to owner covered by the housing assistance payment under the HAP contract between the owner and the PHA.

However, the PHA will pay the HAP amount due if the family continues to reside in the unit until the owner has obtained a court judgment or other process allowing the owner to evict the tenant or when the HAP contract is terminated. The PHA's failure to pay the HAP to the owner is not a violation of the lease between the owner and the tenant. During the term of the lease the owner may not terminate the tenancy of the family for nonpayment of the PHA's housing assistance payment.

(3) The owner may terminate the lease for any activity engaged in by the resident, any member of the household, a guest or another person under the control of any member of the household that:

- (i) threatens the right to peaceful enjoyment of the premises by other residents;
- (ii) threatens the health or safety of other residents, PHA employees, or of owner's employees;

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(iii) threatens the health or safety of or the right to peaceful enjoyment of their residences, by persons residing in the immediate vicinity of the premises; or
(iv) is drug-related criminal activity or violent activity or violent criminal activity including the manufacture of methamphetamine.

(4) Other good cause for termination of tenancy by the owner may include, but is not limited to, disturbance of neighbors, destruction of property, living or housekeeping habits resulting in damage to the unit, or the owner's desire to use the unit for personal use.

(5) Owners must give the tenant and the PHA a written notice that specifies the grounds for lease termination (may be included with an eviction notice, if applicable).

(6) Owners may keep the HAP for the month when the family moves out of the assisted unit. The PHA will not make any HAP to the owner for any month after the month when the family moves out.

(7) If a participant family moves from an assisted unit with continued tenant-based assistance, the term of the assisted lease for the new assisted unit may begin during the month the family moves out of the first assisted unit. Overlap of the last HAP (for the month when the family moves out of the old unit) and the first assistance payment for the new unit, is not considered to constitute a duplicative housing subsidy.

F. HAP Contract Terminations by the PHA

Program participants must comply with Section XVI(B) in cases of a desire to move to another unit. Program participants that have mutually agreed with a landlord to cancel a lease (example: owner needs property for his/her personal use), must provide the PHA with 30 days written notice of intent to vacate the unit. A program participant voluntarily leaving the program or a participant transferring to another unit at Annual Recertification must also provide the PHA a 30-day written notice. Notification to the owner must be in accordance with the Lease requirements. Participants will be allowed to request another Voucher in the event of a desire to relocate to another unit (with notice as above indicated). The participant's time limit (60 days), in the event of a failure to locate another unit, the voucher will not be extended (except under emergency circumstances previously described in Section IX(G)).

Other than the termination of eligibility as set forth above, terminations will be made in accordance with the terms and conditions of the HAP contract with the owner. Terminations of a family's assistance in the program will also necessitate termination of the HAP contract with the owner. The following are grounds for the PHA's termination of the HAP contract and the families' assistance:

(1) If the PHA determines, in accordance with HUD requirements, that funding under the consolidated ACC is insufficient to support continued assistance for

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families in the program.

(2) Action or inaction (failure to act) by the participating family or violation of family obligations, termination of tenancy, eviction, or failure to correct any family-caused housing quality standards failure (including failure to keep continuous utility services, provision and maintenance of any appliances that the owner does not or is not required to provide, failure to repair or reimburse the owner for any damage to the dwelling unit or premises by any member of the household or guest or failure to pay tenant's portion of rent or failure to pay any damages or charges due the landlord in accordance with the lease including move-out charges when vacating an assisted unit.)

(3) Allowing any unauthorized person(s) to visit, stay or live in an assisted unit beyond a visitor period not to exceed (14) days.

(4) If a participant has committed any fraud or has made willful misrepresentations in connection with any federal housing assistance program.

(5) The family has violated any participant obligation or breached any agreement (see obligations of the family).

(6) Failure to comply with the requirements under a contract of participation in the Family Self-Sufficiency program.

(7) Drug/substance abuse (to include alcohol abuse) or criminal activity by any member or guest of the participant family (see Section V, Definitions) that affects the health, safety or right of peaceful enjoyment by other nearby residents, including violent activity, violent criminal activity, alcohol abuse, drug-related activity, sexual misconduct or arson by any member of the participant family or a guest of the household. The PHA will enforce HUD's "**One Strike, You're Out**" procedures. The PHA will use its discretionary privileges under the program based on a preponderance of evidence and credible evidence (see Section V, Definitions) in determining whether or not termination includes all or specific family members. Any person who has a lifetime registration under a State Sex Offender Registration program or has been convicted of manufacturing or producing methamphetamine (speed) in any HUD assisted property will be terminated from the program and denied eligibility for life.

(8) Any uncorrected Housing Quality Standards failures or any family instituted or caused failure of any of the Housing Quality Standards.

(9) Failure to continuously occupy the unit under lease and HAP contract for more than 60 consecutive days (no member of the family is residing in the unit) unless the PHA provides approval of the absence for extenuating circumstances. In no case shall the family be permitted to be absent from the unit for a period of more

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than 180 consecutive days.

(10) Failure of the part of the landlord/owner to correct any Housing Quality Standards.

(11) Mutual rescission of the lease by the owner and participant.

(12) Participant move with proper notice to owner and PHA.

(13) Moves required due to over-crowded or under-occupied units.

(14) Rental increases by owners beyond rent reasonableness for the area.

(15) If the family currently owes rent or other amounts to the PHA or to another PHA in connection with Section 8 or public housing assistance under the 1937 Act.

(16) If the family has not reimbursed any PHA for amounts paid to an owner under a HAP contract for rent, damages to the unit that occurred prior to the effective date of the Unified Rule for tenant-based assistance, or other amounts owed by the family under the lease.

(17) If the family has engaged in or threatened abusive or violent behavior toward PHA personnel.

(18) A violation of HQS space standards because of an increase, decrease due to a change in family size and composition. The PHA must issue the family a new voucher and the family must find an acceptable unit that will meet the program requirements within sixty (60) days. If an acceptable unit is available for rental by the family, the PHA must terminate the HAP contract in accordance with its terms.

(19) As applicable to the HAP contract, either one year or one hundred eighty (180) days after the last housing assistance payment is made to an owner on behalf of a family (automatic termination).

(20) Failure to accurately report all income to the household; failure to follow proper reporting procedures.

(21) Violation of any HAP contract and/or assistance agreements after written notice from PHA that participant has been placed on probationary status.

(22) Harboring fugitives from justice or illegal non-citizens.

The PHA will provide written notice (according to the terms and conditions of the HAP contract, the Rental Voucher) of program termination, and will indicate if the participant has the right to an informal hearing (see Complaint and Hearings Section).

XVII. HOUSING AUTHORITY, OWNER, AND PARTICIPANT RESPONSIBILITIES AND OBLIGATIONS

In addition to provisions contained in the Voucher, HAP Contract and/or Lease, the following are included but not limited to, the responsibilities and obligations of the parties participating in the programs:

A. Housing Authority:

- (1) Publication and dissemination of information concerning the availability and nature of housing assistance for eligible families.
- (2) Public invitation to owners to make units available for leasing by eligible families and development of working relationships and contracts with landlords, appropriate agencies, associations, and groups.
- (3) Receipt and review of applications, verification of income, and other factors related to eligibility, amounts of assistance, and maintenance of a waiting list.
- (4) Issuance of Vouchers to eligible families.
- (5) Notification of families determined to be ineligible.
- (6) Provision to voucher holders of basic information on applicable housing quality standards, inspection procedures, owner and tenant responsibilities, and basic rules.
- (7) Determination of Total Tenant Payment and Tenant Rent.
- (8) Determination of Housing Assistance Payments (HAPs).
- (9) Explanation of program procedures to owners.
- (10) Review of and action on Requests for Tenancy Approval, including monitoring to assure that the limitations on use of Section 8 housing assistance in subsidized projects are observed.
- (11) Distribution of Housing Assistance Payments.
- (12) Provision of housing information to assisted families and referral of such families to appropriate social service agencies, if needed.

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- (13) Reexamination of income, family composition, medical expenses or other eligible expense, and redetermination of Total Tenant Payment and Tenant Rent.
- (14) Adjustment of the amount of Total Tenant Payment, Tenant Rent, utility reimbursement, and/or HAP.
- (15) Inspections to determine that units are maintained in decent, safe, and sanitary condition, and written notification to owners and families of adverse determinations.
- (16) Administration and enforcement of family obligations, including home visits if necessary, contracts with owners and taking appropriate action in cases of noncompliance, default, program abuse and fraud.
- (17) Compliance with equal opportunity requirements, including efforts to provide families' assistance in locating housing in areas outside of economically and racially concentrated areas.
- (18) Determine who can live in the assisted unit, at admission and during the family's participation in the program.
- (19) Conduct informal reviews of certain PHA decisions concerning applicants for participation in the program.
- (20) Conduct informal hearings on certain PHA decisions concerning participant families.
- (21) Provide sound financial management of the program, including engaging an independent public accountant to conduct audits.
- (22) Issue IRS Form-1099 for rental payments to agents/owners (to the Payee on issued rental payments and/or whoever executes the HAP Contract).
- (23) Any other task given priority consideration and support by the Board of Commissioners.

B. Owners/Landlords:

- (1) Performance of all property management and renting functions, including selecting a voucher holder to lease the unit, and deciding if the family is suitable for tenancy of the unit.
- (2) Maintaining the unit in accordance with HQS or other standards as specified in this Administrative Plan, including performance or ordinary and extraordinary

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maintenance.

- (3) Payment for utilities and services (unless paid directly by the family).
- (4) Collection of security deposit, the tenants' contribution of rent, and any charges for unit damage by the family.
- (5) Collection, preparation and reporting of information required under the Housing Assistance Payment Contract.
- (7) Compliance with the applicable provisions of this Administrative Plan.
- (8) Compliance with equal opportunity requirements.
- (9) Notify the PHA and family of any changes in the amount of rent at least sixty days before any such changes to into effect, and any such changes are subject to rent reasonableness requirements.
- (10) Notify the PHA of any proposed charges (including charges for household appliances, utilities, or any other service) to the tenants' family other than those in the approved HAP contract and lease.
- (11) Determining when to evict, advising the PHA, and proceeding with the action through proper legal action.
- (12) Comply with South Carolina Landlord Act and any amendments thereto.

C. Program Participants:

(1) Execute or provide any required certifications, consent and release of information forms, or other documentation which the PHA or HUD determines to be necessary, including submission of required documents required for initial, interim or annual reexamination of family income and composition (includes submission of required evidence of citizenship or eligible immigration status). Participant agrees to permit income matching between all agencies of the government (to include but not limited to Internal Revenue Service, SWICA (State Wage Income Collection agencies) and HUD for verification of proper income reporting in the determination of level of benefits; Participant further agrees to promptly (within ten days) notify the HA upon receipt of a notice of income discrepancy from HUD and agrees to promptly provide any information necessary for the reconciliation of an income discrepancy, and to pay any rent adjustment that may be due as a result of improper reporting by the family. The HA will take prompt, appropriate action to recover excessive housing assistance paid on behalf of or received by participants, up to and including filing criminal charges.

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Participants who report little or no income to the household agree to provide statements of survival and agree that the Housing Authority may perform a check through the credit bureau to ensure income integrity for the program.

All income to the household, including income increases, must be reported.

(2) Allow the PHA or landlord/owner to inspect the dwelling unit at reasonable times and after reasonable notice (no notice required for cases of an emergency).

(3) Notify the Housing Authority by supplying a thirty (30) day notice before vacating the dwelling unit.

(4) Use the dwelling unit solely for residence by the PHA approved family as the family's only residence.

(5) Comply with the term of the lease agreement.

(6) Prevent any damage or family-caused housing quality standards failure (including continuous utility services), control the conduct and/or actions of their family members, guests and visitors, and if any damage occurs, pay for any damage to the unit that are caused by the tenant, family, guests, or visitors.

(7) Refrain from committing any fraud in connection with the Section 8 program or any other Federal, State or local assistance program.

(8) Refrain from receiving assistance under the Section 8 program while occupying or receiving assistance for occupancy of any other unit assisted under any subsidized housing program.

(9) Refrain from assigning the lease or transferring the unit by any means.

(10) Refrain from engaging in drug/substance abuse-related activity, violent activity or violent criminal activity, or sexual misconduct or arson, including any such activity by any family member or guest on or off the premises.

(11) Not allowing any individuals unauthorized by the PHA to live in the unit. Guests or visitors may only be permitted to visit with the family for not more than fourteen (14) days subject to notification to the PHA.

(12) Refrain from activity on the part of any member of the family, guests or visitors that would disturb any neighbor's peaceful enjoyment of their own accommodations.

(13) Disclose and verify social security numbers and must sign and submit consent forms for obtaining information in accordance with federal regulations.

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(14) Provide the PHA a copy of any owner eviction notice.

(15) Notify the PHA of any absence from the unit and supply information/certification requested by the PHA to verify that the family is living in the unit, or relating to family's absence from the unit.

(16) Disclose in writing any decrease or desired changes in family size and composition. PHA approval must be granted for any adding family members (including live in aides) unless by birth, adoption, or court-awarded custody of a child. Changes to unit size may be necessary according to program requirements when family size changes occur. In the event the family refuses to locate a new unit/move when notified, the PHA will terminate the HAP contract and assistance.

XVIII. ANNUAL RE-CERTIFICATION, INTERIM CHANGES AND REEXAMINATIONS

A. Annual Re-certification:

Annual re-certification must be done on or before the anniversary date of the HAP contract for all participants in the Section 8 program. Program participants must report to the PHA all income to the household, changes in income, any additions or deletions of household members, and deduction changes (such as childcare) in writing within ten (10) days from the date of change. Participants and owners will be notified in writing of the annual re-certification at least sixty (60) days prior to the anniversary date of the HAP contract. Participants will be given an appointment for re-certification. One cancellation and rescheduling of an appointment will be permitted. Failure to re-certify will be deemed as inaction by the participating family and a violation of the family's obligations and is grounds for termination of assistance. Participants and owners will be provided with a "HAP Contract Adjustment" form at the end of the reexamination that will indicate all changes from the previous initial HAP contract or previous adjustment.

B. Unit Transfers/Moves:

Program participants may request to move to another unit; however, moves will not be permitted during the initial year of assisted occupancy and only one move can be made per year and only during annual recertification process. Requests must be made in writing to the PHA and the owner no later than 30 days prior to recertification effective date. Moves will not be allowed before lease ending date. The request to move must be accompanied by the participant's thirty (30) day notice to the landlord. The PHA will issue a new voucher only if the family has previously fulfilled all obligations and responsibilities under the Section 8 program, and has not committed any fraud, program abuse (including non-payment of amounts owed to the PHA under a repayment agreement), and/or is

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responsible for or failed to correct any tenant-caused damage to an assisted unit. The program participant will be given the same required sixty (60) days to locate another unit. Extensions will only be given for extenuating circumstances as indicated in Section IX(F).

The PHA may deny families permission to move if the PHA does not have sufficient funding for continued assistance. (2005 §CFR 982.314(e)(1))

In the event the participant fails to notify the PHA and the owner prior to the expiration of the Voucher of their intent to remain in their present unit or provide the required Request for Tenancy Approval for another unit, the participant's assistance may be terminated and the participant will be solely responsible for rent (under the lease) to the owner.

A participant may be required to move under the following circumstances:

(1) the participant has contacted an owner for necessary repairs that would fail the HUD established Housing Quality Standards and the repairs are not made. The participant must contact the PHA in these circumstances.

(2) units that do not pass the annual housing inspections or special inspections as above set forth and the owner fails to make the necessary repairs in the time frame for completion as indicated in writing to the owner by the PHA.

(3) the owner has notified the PHA of their intent not to continue the lease.

(4) over-crowding or under-utilization of unit size.

C. Interim Changes:

Program participants must report to the PHA all changes in income, any additions or deletions of household members, and deduction changes (such as childcare) within ten (10) days from the date of change. Failure to report may result in program termination and/or criminal prosecution. Proper reporting methods must be followed by all participants.

Proper Reporting Methods are considered to be Tenant/participant reporting in writing by signed documentation to the Housing Authority all income to the household, any change in income within ten days of the change (including but not limited to income that may be exempted or excluded from rent calculation) or any change in family composition within ten days of the actual change and by providing all requested or required documentation (birth certificates, social security numbers, mailing addresses etc.) or any other documentation needed by HA staff to accurately determine the proper amount of rent and subsidy.

For all income change that results in a decrease of the participant's total tenant payment, an interim adjustment must be made and will become effective the first of following month after the resident reports the change and verification is obtained by the

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PHA. If verification is obtained stating temporary leave (i.e., layoff, medical, family...) without pay or for less earnings will not exceed 30 days, an interim adjustment will not be made.

Interim adjustments will be made to correct any errors, which may have occurred under the initial certification or for any subsequent reexaminations.

Interim adjustments will be made for increases in annual income of \$1,600 or more. Deductions from income for additions to the household will not be changed unless specifically requested by the head-of-household until annual re-certification time. All other changes to household size, household deductions, income, etc. will require an interim adjustment.

Increases in rent will become effective the first of the month following 30 days of an income increase and notification by the PHA to the family; in cases of a family's failure to properly report income increases, the rent change will be made retroactive to the date the rent would have changed under proper reporting methods, with the thirty days notice of increase being forfeited, rent becoming effective the first day of the coming month, and any retroactive charges being due and payable within thirty days (see also "Repayment Agreements and Collections).

VERIFICATION STANDARDS AND PROCEDURES

Income verification plays an intricate role in determining family eligibility and the amount of rental subsidy received by the family. All information in the tenant family's file must be verified and properly documented. The family must provide required information, documentation and sign release forms. All adult family members age 18 and over must sign the required forms which may be used between regular reexams to verify unreported income. Release forms will be valid 15 months from the date of signature. Applicants, residents and participants must certify that all income and other information is accurate and complete. The RHHA (Rock Hill Housing Authority) will conduct a thorough interview for the purpose of obtaining complete and accurate household income information to properly determine the family's correct amount of subsidy and rent. A family budget or statement of financial responsibility may be required of families reporting zero or extremely low income; RHHA's will attempt to determine the source of income when the family's regular expenditures conflict with their claim of zero income, utilizing all means available, including running credit report, using EIV/TASS, SWICA's, The Work Number, performing home visits and proper interviewing techniques to disclose any unreported source of income.

The RHHA will document all sources of income to the household as well as any deductions claimed by the family. The RHHA will use third-party written verification as the most desirable and preferred method, to be received directly from the third party via mail or fax; the third party verification must not be hand-carried by the family. When third party

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written verification has been requested and not received within a reasonable period of time, RHHA staff will send a "second request". When third party written verification is not possible to obtain or not timely, third-party oral verification may be used as an alternative. A telephone interview by the RHHA staff should include date and time of contact, name and source of information, RHHA staff name and signature, summary of information and rationale for using oral verification. When third party written or oral documentation cannot be obtained, the family may be requested to provide documentation such as pay stubs (preferably consecutively for six weeks) bank statements for all family members (preferably for six months), award letters or benefit checks, child support payment cancelled checks and/or award letters, IRS tax forms (including Form 1099, Form 1040, Form 4506 and Form 8821) or W-2 forms. When a discrepancy exists between what has been reported and the verification, the RHHA should contact the source of the third-party verification to resolve the issue.

Family certification or declaration may be used only when other methods are impossible. The RHHA may use notarized statements or signed affidavit from the family attesting to the information; the RHHA will clearly document why other verification methods were not used.

Zero income families will be contacted on a quarterly basis concerning the status of their household income. Families that have no source of income for a 30-day period will be advised to seek assistance from supportive agencies (DSS, Job Service, etc.) and will be required to submit statements of survival until employment or other means of financial support is obtained. The RHHA may require specific documentation that would indicate that the family is unable to obtain TANF or income assistance from other programs, unable to work, or unable to participate in local job training services. The RHHA may request a credit report on these families for rent determination purposes to see if there are any amounts paid to the household on a regular basis.

SELF-EMPLOYED APPLICANTS/RESIDENTS/PARTICIPANTS

Self-employed individuals present an unusual set of circumstances; third-party verification is often difficult to obtain and even basic income information is sometimes lacking. These are basic requirements relative to self-employed applicants, residents and participants.

Self-Employed Income:

For household members with self-owned businesses, the following must be included as income:

- Salaries paid to adult household members. Note that this may show up on a business tax as "wages/salaries." Cash or assets withdrawn by any household members. (Don't count amounts withdrawn as reimbursement for cash or assets previously invested in the business.)

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- Net income from the business. This is gross income minus business expenses (e.g., rent, salaries paid to non-household members, cost of materials or supplies, utilities, insurance, taxes, and depreciation computed on a straight line basis.) Do not deduct expenses for business expansion or capital improvements. The principal payments on loans for these purposes also may not be deducted. Interest payments on loans for expansion or capital improvements may be deducted, but interest payments on other business loans may not be deducted.

Verification of Self-employment Income:

Existing Residents: For residents who are recertifying and who started their business after initial occupancy, follow the HUD requirements for verifying self-employment income:

1. Obtain a Self-Employment Affidavit from the resident stating what they anticipate their self-employment income will be for the 12 months following certification. The statement should be backed up with one of the following, listed in order of preference:
 - a. Federal tax return, including supporting schedules (Schedule C for most businesses; Schedule E for rental property, partnerships and S Corporations; Schedule F for Farm Properties). Note: be sure the tax return is legitimate. Rather than accepting a self-prepared tax return, have the resident obtain a copy of the IRS transcript of the return. They may call 1-800-1040 and a free transcript will be mailed to them within 10 days.)
 - b. A copy of the businesses audited or unaudited financial statement.
 - c. Copy of bank loan application that lists income from the business during the past 12 months.
 - d. Notarized letters from clients stating how much is paid to the resident/participant/applicant.

New Applicants

In working with self-employed applicants, there is no reduction in management's responsibility to document income eligibility. If adequate documentation cannot be obtained, the application for occupancy should be denied. Any applicant who self-employed must be able to provide at least two business tax returns from the same business so that management will have a reasonable basis for an income projection, or at a minimum, one Federal Tax Return with supporting schedules. The Executive Director must approve any special circumstances.

The PHA will consider on a case-by-case basis and use its best judgment in determining who remains in the program if a family unit breaks up. Consideration will be given to interests of any minor children, custody issues, disability of any family members, etc. In the event of judicial proceedings in a separation or divorce, the PHA will be bound by any court determinations.

D. Limitations on Household Size:

Participant families may only increase household size due to marriage, birth of additional child(ren), custody changes or Legal adoptions involving minor children, or additions through the foster care program. Families with these type of changes in household size that result in the unit no longer being the appropriate size will be issued a voucher according to funding availability. A transfer list will be maintained for participants that cannot be immediately assisted with a larger Voucher.

At the PHA's discretion, immediate family members who have been deleted from the household or were never members of the household may not be added as program participants and are not entitled to housing assistance. Such persons will be advised to apply for housing assistance.

XIX. REPAYMENT AGREEMENTS AND COLLECTIONS

Should the HA determine that a participant has unreported income, that an incorrect amount of rent has been paid, and it has been determined that there was no intentional fraud involved, a repayment agreement may be entered into with the participant. Amounts less than \$100 should be paid in full; Repayment Agreements will not be entered into for amounts less than \$100 without approval by the Executive Director or designee.

If the HA enters into a repayment agreement, the repayment agreement will generally be set up as follows:

<u>Initial Payment</u>	<u>Amount</u>	<u>Maximum Term</u>
20% due*	\$101 to \$500	6 months
25% due*	\$501. - \$1,000.	9 months
30% due*	\$1,001. - \$2,500.	12 months

*** Due at the execution of the repayment agreement.**

Deviations from these recommended amounts must be approved by the Executive Director or designee. Repayment agreements will not be entered into if the total amount due exceeds \$2,500.00 without the prior approval of the Executive Director or designee.

In the event of hardship cases, the HA has the right to change and amend the repayment agreement or waive the amount due upon approval by the Executive Director

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or designee.

Refusal to execute a repayment agreement that is a result of a failure to comply with any of the family obligations will result in termination of assistance and may bring about charges of fraud. In the event of the participant's failure to comply with the terms of the repayment agreement, the HA will terminate assistance for non-payment and/or failure to comply with the terms of the repayment agreement and may initiate charges of fraud.

Any repayment amounts must be paid by personal check or money order. The PHA will not make a practice of accepting cash.

Repayment agreements will not be entered into with owners. In the event that an owner is paid any excess amounts not due by the PHA, then the following are the conditions for repayment: (1) the amount owed will be deducted from any future HAP payments for the same participant family or other participant families in units owned by the owner or (2) the amounts are due to the PHA upon notification in writing to the owner.

XX. PORTABILITY (Note: Portability options do not apply to TBRA vouchers.)

The PHA will adhere to portability program requirements in accordance with 24 CFR 982.353 through 982.355. The Federal Regulations permit portability moves in the Section 8 program to a jurisdiction of a PHA anywhere in the United States that administers a tenant-based program. Under §982.314 (e)(1), the PHA may deny portability moves to higher cost areas if the receiving PHA refuses to absorb.

Participants not having a legal domicile in the jurisdiction of the PHA at the time the family applied for assistance must rent a unit in the PHA's jurisdiction for at least twelve (12) months before being eligible for portability.

A. As an Initial PHA:

In portability moves where the PHA is the initial PHA, staff will contact the receiving PHA to inquire whether the receiving PHA will absorb the participant into the receiving PHA's program or administer the initial PHA's voucher. Based on funding availability, if the participant has complied with the program regulations and this Administrative Plan, a new Voucher may be issued to the participant to be given to the receiving PHA. The PHA reserves the right to deny all portability in situations where HUD funding is insufficient to fully operate the HCV program for the fiscal year.

The Housing Authority of the City of Rock Hill screens Section 8 applicants in accordance with guidelines outlined in the Section 8 Administrative Plan (Section VII. APPLICATIONS, ELIGIBILITY, VERIFICATION REQUIREMENTS, AND WAITING LIST ADMINISTRATION.) In an effort to be consistent in practice and to avoid the appearance

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of any type discrimination against participants holding vouchers issued by the Housing Authority of the City of Rock Hill, these same screening procedures will apply to any Section 8 participant coming portable from another Housing Authority.

The regulations allow the receiving PHA to administer the initial PHA's voucher or issue one of its own vouchers. The Section 8 staff must send a letter of good standing for the participant family, the completed voucher, the HUD-50058 and worksheet for the family. The Section 8 staff must indicate the date by which the family must submit a Request for Tenancy Approval and maintain close contact with the receiving PHA to determine the HAP Contract execution date should the Receiving PHA decide to administer the PHA's voucher. The PHA will follow the guidelines set forth in this Administrative Plan for allowable extensions.

In the event that the receiving PHA indicates its intention to administer the initial PHA's voucher and the family has not located suitable housing within the sixty (60) days (with no permitted extension of time granted), the receiving PHA and the participant will be notified of the loss of housing assistance by the initial PHA.

The Initial PHA must reimburse the Receiving PHA for the administrative fees, and the hard-to-house fee, if applicable. The Section 8 program staff will notify accounting of the move so that bills from the initial PHA will be anticipated and paid promptly by the receiving PHA. If the initial PHA has not received a billing notice by the deadline, the initial PHA must contact the receiving PHA to determine the status of the family. The initial PHA may decide not to honor a late billing submission by the receiving PHA. If the initial PHA still subsequently receives a late billing notice on behalf of the family, it simply returns the late form HUD-62665 to the receiving PHA, and the receiving PHA must absorb the family.

B. As a Receiving PHA:

The PHA will determine on a case-by-case basis whether to administer the initial PHA's voucher or issue one of the PHA's vouchers (based upon funding availability). It is the responsibility of the initial PHA to contact the receiving PHA indicating the participant's intent to move, provide a letter of good standing, provide a voucher, provide the HUD-50058 and worksheet for the family, and to monitor and follow-up with the receiving PHA. The receiving PHA will only assist the participant if the initial PHA has issued a new Voucher to the participant entitling them to seek another unit. The participant must be re-certified initially and annually for the purposes of determining housing assistance payments.

In the event that the administration of another PHA's Voucher is necessary, Section 8 program staff will provide immediate notice to the accounting staff so that timely billing to and payment from the initial PHA can be accomplished for the administrative fees, preliminary expense, and the hard-to-house fee, if applicable. The Section 8 program staff must notify accounting immediately should the family cease to participate in the program.

C. Subsequent moves:

The PHA, as the initial PHA, limits the portability moves of participants, to not more than one move in any twelve (12) month period (based on funding availability after initial lease-up period of twelve (12) months and after). Portability to another jurisdiction will not be allowed unless all monies owed to this Housing Authority, any other Housing Authority or any landlord of an assisted property are paid in full. This includes any repayment agreements which must be fully paid prior to requesting portability.

D. Income Limits:

The applicable income limit for the participant is always the income limit for the area in which the family initially leases a unit and first becomes a Section 8 participant. Any potential program participant who is not a current program participant or is a portable family transferring assistance between programs (certificate to voucher or vice-versa) must be income eligible in the new program area (where they are to be assisted).

Due to the \$7,500 12-month maximum HAP payment in the TBRA program, only families with regular and steady income will be considered for TBRA vouchers.

XXI. COMPLAINTS AND HEARINGS

A. Discrimination Complaints

If there is notification to the PHA that there is reason to believe that there has been any discrimination on the basis of race, color, creed, sex, disability status, familial status, or national origin, the PHA will provide the Fair Housing Complaint Form, HUD-903, and any assistance deemed necessary.

B. Informal Reviews

The PHA will provide applicants with prompt written notice of ineligibility or denials of assistance. The notice must contain the reasons for the PHA decision, a statement that the applicant may request an informal review, and how to obtain an informal review. The PHA will indicate that the PHA must receive requests for informal reviews within ten (10) days from the date of the notification. Failure to request the hearing, in writing, within ten (10) days from the date of the letter from the PHA will result in forfeiture of this right.

The informal review must be conducted by a person or persons designated by the PHA, other than a person who made or approved the decision under review or a subordinate of this person. The applicant will be given the opportunity to present written or

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oral objections to the PHA decision.

A prompt written decision will be provided to the applicant after the informal review.

Informal reviews, upon receipt of a written request, will be conducted for decisions affecting participants to include the following:

(1) Determinations of the family's annual or adjusted income and the use of such income to compute the housing assistance payments.

(2) A decision of denial or termination of a participant's housing assistance in situations involving any drug-related or violent activity or violent criminal activity.

(3) A determination of the family unit size under the PHA's subsidy and occupancy standards.

Informal reviews will not be conducted by the PHA for the following:

(1) Discretionary administrative determinations by the PHA, general policy issues, or class grievances.

(2) The PHA's determination of the bedroom size indicated on the Housing Voucher or the participant's occupancy of a unit that is overcrowded or under utilized.

(3) The PHA's determination that a unit located by an applicant does not comply with the PHA's housing quality standards, the PHA's determination not to approve the lease of a unit, failure of an owner to maintain or operate a contract unit in compliance with the housing quality standards, or because of failure to meet the standards for family size and bedroom size due to changes in the family composition.

(4) The PHA's decision not to approve a request for an extension or suspension of a voucher term.

(5) The PHA's decision to exercise any remedy against an owner under contract for fraud or substantial noncompliance with the program requirements, e.g. units failing HQS standard, including the termination of payments for any units that may be under contract with the owner.

(6) Establishment of the PHA schedule of utility allowances.

(7) A PHA determination that an assisted unit is not in compliance with HQS (unless terminating assistance because of a family caused breach of the HQS) including a determination that the unit fails HQS because of the family size.

(8) A determination by the PHA to exercise or not to exercise any right or

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remedy against an owner under a HAP contract.

C. Informal Hearing Procedures

The PHA will give participant families an opportunity for an informal hearing under any of the following circumstances:

- 1) Determination of the family's annual or adjusted income or computation of assistance disputes.
- 2) Determination of family's utility allowance disputes.
- 3) Determination of the family's unit size under subsidy standards.
- 4) Determination to terminate assistance except as outlined herein.

Informal hearings must be requested by a family in writing within ten (10) days from the date of the notification. Failure to request the hearing, in writing, within ten (10) days from the date of the letter from the PHA will result in forfeiture of this right.

The family and the PHA must be given the opportunity to examine and copy (at the requesting parties' expense) any PHA or family documents that are directly relevant to the hearing. The family may make an appointment to review the files. A staff member must be present (family will not be left alone with the file at any time) during the review. Family may be charged for any copies made at their request. Family may also be charged for the staff time to monitor the review if an unreasonable amount of time is used (generally any span greater than 30 minutes).

If the PHA or the family does not make the document available, the PHA or the family may not rely on the document at the hearing.

Either party may, at its own expense, be represented by a lawyer or other representative.

The hearing must allow for due process for the PHA and the family to include presentation of any evidence and/or opportunity to question witnesses, right to retain and have legal representation, rights of discovery for both the family and the PHA (right to examine and photocopy documents directly relevant to the hearing), and right to a private hearing.

Failure to appear at a scheduled hearing by either the family or the PHA is a waiver of the right to a further informal hearing. Any appointment requested by a participant and not kept or not rescheduled at least twenty-four hours prior to the time of the arranged appointment will waive the right to a hearing, unless it is proven that a verifiable emergency

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existed at the time of the missed appointment.

A written decision of the hearing officer or panel will be issued. The determination by the hearing officer or panel does not constitute a waiver of either party's right to appropriate judicial proceedings.

The hearing must be conducted by a person or persons designated by the PHA, other than a person who made or approved the decision under review or a subordinate of this person.

The person or panel conducting the hearing must issue a prompt written decision stating the reasons for the decision to the PHA staff and the applicant/participant/owner. The PHA is not bound by a hearing decision concerning a matter for which the PHA is not required to provide informal hearings or that otherwise exceeds the authority of the person conducting the hearing or if such hearing decision is contrary to HUD regulations or State/local law. In such instances, the PHA must notify the family of such determination and the reasons for the determination.

XXII. OTHER ADMINISTRATIVE FUNCTIONS

The PHA will annually review and, where necessary, make changes to utility allowances and policies/procedures.

Fair Market Rents changes as issued by HUD will be put into effect after publication in the Federal Register. Payment Standard changes for the Voucher program will increase as deemed necessary.

The Housing Authority Executive Director or his/her designee will conduct internal quality reviews on the files for accuracy and completeness of documentation. Staff will be monitored and counseled in any deficient areas.

The PHA will follow-up on any reports of fraudulent activity on the part of Section 8 program staff, applicants, participants, or owners. Documentation, when obtainable, will be compiled and an internal review will be conducted as to credible evidence by the Section 8 staff. In the event that the documentation is sufficient to pursue further action, the Executive Director will be notified to determine the resulting actions by the PHA.

The PHA's operating reserve funds may be expended for other housing purposes consistent with the authority of the PHA under State and local law, provided that the amounts used for other housing purposes are not required for projected administrative expenses through the remaining Annual Contribution Contract terms. Expenditures made for other housing purposes, consistent with State and local law, must be procured and

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committed in accordance with the current Procurement Policy adopted by the Board of Commissioners. The threshold for such expenditures may not exceed \$5,000.00 without competitive bidding and approval by the Board of Commissioners.

Program accounts and related records and files will be maintained in accordance with HUD regulations for at least three (3) years. All records and files for applicants and participants will be maintained for at least three (3) years to include leases, HAP contracts, applications, records that provide income, racial, ethnic, gender and disability status, HUD-required reports, unit inspection reports, and lead-based paint inspection records.

Total Tenant Payment - Section 8 Program

Total tenant payment (gross family contribution) for rent will be computed in accordance with Federal Regulations, to be the greater of:

- 30 percent of monthly adjusted income; or
- 10 percent of monthly income; or
- For the Section 8 tenant-based Voucher program, a **minimum rent (*see below)** family contribution of \$50 (includes utility allowance), and if applicable, any difference between the monthly rent to owner and the housing assistance payment.
- Maximum family share at initial occupancy.
- TBRA voucher Housing Assistance Payments may not exceed \$7,500.00 in a 12-month period, regardless of the amount of income to the family. After the maximum assistance has been paid in a 12-month period, no further housing assistance payments will be paid by the Housing Authority; the family will be fully responsible for the contract rent payment to the landlord.

MINIMUM RENT EXCEPTIONS:

Statutory provisions, Section 507:3(a)(3)(B) of the QHWRA, provide the following exceptions to the minimum rent requirements:

1. A family may request an exception (which must include reasonable documentation) to the minimum rent based upon temporary financial hardship due to the following circumstances:

A. The family has lost eligibility for or is awaiting an eligibility determination

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for a Federal, State, or local assistance program;

B. The family would be evicted as a result of the imposition of the minimum rent requirement;

C. The income of the family has decreased because of changed circumstance, including loss of employment;

D. A death in the family has occurred; and

E. Other circumstances determined by the HA or HUD. 2. The HA shall immediately suspend or discontinue the family's requirement for payment of a minimum rent upon the family's request for hardship exemption and the suspension shall continue until a determination is made on whether the hardship exists and/or if the hardship is *temporary or long-term*.

3. If the HA determines that the hardship is *temporary*, the minimum rent remains imposed (including back payment for minimum rent from the time of suspension).

4. Should a family request and qualify for such exception after October 21, 1998 and the financial hardship occurred prior to adoption of this policy, the HA will reimburse the resident by providing a refund or otherwise offset future rent payments.

5. Should the HA determine that there is no hardship, a minimum rent is imposed retroactively to the time of the suspension. The HA must offer a reasonable repayment agreement for any back-payment due by the family. The family cannot be evicted for nonpayment during the 90-day period commencing on the date of the family's request for exemption of minimum rent in excess of the tenant rent otherwise payable.

**Note: The Housing Authority's minimum rent effective November 1, 2005 for the Section 8 Program is \$50.00 per month. The minimum rent may be increased up to the maximum or minimum rent allowed by the Department of Housing an Urban Development with the approval of the Executive Director and the provision of required notice to residents.*

Maximum Family Share at initial occupancy: At the time the PHA approves a tenancy for initial occupancy of a dwelling unit by a family with tenant-based assistance under the program and where the gross rent of the unit exceeds the applicable payment standard for the family, the family share must not exceed 40 percent of the family's adjusted monthly income. The determination of adjusted monthly income must be based on verification information received by the PHA no earlier than 60 days before the PHA issues a voucher to the family.

Attachment 1 – Income Inclusions and Exclusions

Regulatory Addendum

Income Inclusions and Exclusions will be administered in accordance with the Code of Federal Regulations and the Section 8 Occupancy Guidebook; the 4350.3 HUD Occupancy Handbook may also be used for reference and clarification.

Interest income will be computed at the rate stated on third-party verifications, with six-month average being used for checking accounts and actual balance for savings accounts; For interest rates not stated on verifications and/or imputed income of \$5,000.00 or more, 2.0% will be used for Eastside Homes and 2.56% will be used for Public Housing and Section 8 programs.

Asset Limit and Residency Ownership Prohibition: For initial eligibility and for ongoing annual recertifications, any family having either (a) more than \$100,000 in net assets or (b) an ownership in a residence suitable for occupancy may be determined ineligible for assistance. PHAs may delay eviction or termination of families not meeting asset and residence restrictions for up to six months. Excluded from Asset Limit and Residency Ownership Prohibition: victims of domestic violence, families making a good faith effort to sell a property, family self-sufficiency accounts, personal property (except for items of significant value), retirement and education savings account assets, and amounts from certain disability lawsuits.

Section 8 HCV Homeownership Program

1. Introduction

The Section 8 Homeownership Program, as approved by HUD, allows an authority at the authority's option to provide tenant based voucher assistance to an eligible family for use in purchasing a dwelling unit that will be occupied by the family.

The Authority plans to initiate a pilot program to explore the feasibility of using the Housing Choice Voucher (HCV) for homeownership opportunities for a maximum of eight families. The program policies and procedures are outlined below. The program will only be implemented if the Authority is successful in satisfactorily obtaining program management and implementation assistance from qualified outside organizations to help fulfill, in a quality manner, the HUD mandated requirements of the program. All items below, and actual implementation of the program, are fully contingent on the implementation of the program with all requirements met.

2. General Employment and Income and Eligibility Requirements,

Participants must meet all HUD established minimum criteria and conditions to obtain a Homeownership Voucher (HOV). Any changes to HUD minimum regulatory criteria will automatically be included in this policy as it pertains to the HOV.

Participation will be limited to current voucher holders. Applicants from the wait list and initial voucher holders who have not yet leased will not be eligible to apply.

The family must meet the HUD definition of a first time homebuyer.

Financing for the purchase must meet generally accepted private market underwriting requirements.

The homebuyer must meet employment requirements. To qualify, one or more adult members of the household must be employed on a full time basis, averaging a minimum of 35 hours per week, for 18 or more continuous months prior to applying for the homebuyer program. Any break in employment that exceeds 3 weeks will not meet the continuous employment standard.

The homebuyer must meet income requirements. To qualify, one or more adult members of the household must have an earned income of at least \$25,000.00 per year for in excess of 1 year. (Elderly and Disabled families are exempt from this requirement and may qualify by meeting the income only requirement.

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The applicant must have made all rental payments on time for a minimum of 12 months prior to application for an HOV.

Welfare income will not be counted as meeting the income requirement except for an elderly or disabled family.

3. Housing Counseling Requirement

A family that has been determined to be eligible to participate in this program must attend and satisfactorily complete a pre-assistance homeownership and housing counseling program provided for or approved by the Authority. The topics to be included in the counseling are:

- Home maintenance
- Budgeting and money management
- Credit counseling and credit repair
- Negotiating the purchase price of a home
- Obtaining homeownership financing and loan pre-approvals
- How to find a home
- Fair Housing information

The counseling requirement must be fully met prior to the issuance of an HOV and the commencement of any homeownership assistance. Additionally, further counseling may be required after the commencement of assistance at the sole discretion of the Authority.

4. Inspection Requirements

In accordance with HUD requirements, the home must pass both a Housing Quality Standards (HQS) inspection conducted by the Authority or its designee and an independent professional home inspection prepared by an inspector selected and paid for by the family. The independent inspector, selected by the family, must be qualified to report on the property condition which includes:

- Foundation and structure
- Housing interior and exterior
- Roofing
- Plumbing
- Electrical systems
- Heating and cooling systems

A written copy of the completed inspection must be provided to both the family and the Authority. The Authority will retain the right to disapprove the property due to any information in the report even if the property met HQS requirements. The owner may repair the items in question and have the property pass after repairs.

5. Contract of Sale

A properly completed contract of sale is required prior to the start of any assistance under the program. The contract of sale must include:

Price and terms

That the purchaser has the right to have an inspection completed by an independent inspector and that the purchaser may terminate the offer to purchase without penalty unless the inspection is satisfactory to the purchaser

The purchaser is not obligated to pay for any repairs to the unit.

A certification from the seller that the seller has not been debarred, suspended, or subject to a limited denial of participation under 24 CFR part 24.

6. Financing

Families selected for the program are required to obtain their own financing for the home purchase. Section 8 funds will not be used for down payment or closing costs. All loans must meet generally accepted underwriting terms and terms acceptable in the reputable secondary markets such as FHA, Fannie Mae, Freddie MAC, etc. Loans must meet the criteria for coverage by private insurers, State or Federal governments when required.

The Authority reserves the right to disapprove a mortgage if the loan is considered by the Authority as unfavorable, predatory, or outside the norm. Only regular amortized, fixed rate, fixed term loans will be acceptable. ARMs or other types of loans will not be considered.

The applicant must obtain a pre-approval letter stating the amount of the loan the applicant is approved for from a reputable lender prior to the issuance of a HOV.

The real estate taxes and property insurance must be escrowed by the mortgage holder.

7. Down Payment and Closing Costs

The homebuyer must contribute a minimum of 3% of the purchase price toward the purchase, and a minimum of \$1,000 or 1%, whichever is greater, must come from the homebuyer's personal funds.

8. Term of Assistance

HOV assistance will only be provided for the months the family is in residence in the home. The maximum term of assistance is 15 years for a 20 or longer year mortgage and 10

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years for mortgages less than 20 years. Elderly families and disabled families may be exempted from this requirement. An elderly or disabled family that loses its elderly or disabled eligibility will be subject to the normal maximums retroactive to the commencement of assistance with a 6-month minimum continued assistance period following the loss of eligibility.

9. Amount of Assistance/Homeownership Expenses

The HOV shall pay a monthly homeownership assistance payment on behalf of the family, while the family resides in the home, complies with program requirements, for the allowed term of assistance in an amount equal to the lower of:

The payment standard minus the total tenant payment; or

The family's monthly homeownership expenses minus the total tenant payment.

The payment standard for the HOV family is the lower of:

The payment standard for the family unit size, or

The payment standard for the size of the home

The payment standard during the term of assistance will never be less than the payment standard in effect at the commencement of the initial HOV assistance. The Authority will use the same payment standards and subsidy standards used for the regular HCV program

The Authority has adopted the following items as allowed for homeownership expenses:

Principal and interest on the initial mortgage debt

Principal and interest on the refinancing of the initial mortgage debt

Mortgage insurance premiums required to finance the purchase or refinancing of the home

The current allowance for utilities

Real estate taxes on the home

Public assessments pertaining to the home

Home insurance costs for the home

An allowance for repairs of \$50.00 per month

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Principal and interest required to finance major repairs to the home or to add disability access if the costs are approved by the Authority prior to the work performance

Home Association or Condo Fees if legally required by the association

HOV payments will be made to the lender or to the HOV family at the sole discretion of the Authority. If the HOV payment to the lender exceeds the mortgage payment, the excess will be paid to the family

10. Applications

Annually, the Authority will notify potential current Section 8 participants with 12 or more months in the program with \$25,000 or greater annual income, about the availability of the program. Applicants will then be conditionally accepted up to the program limits, on a first-come, first-served basis based on the date of receipt by the Authority of a written request to be considered for HOV program. Applicants will be screened for the income, work history, rent payment, and credit criteria.

11. Contract of Sale

The sales contract must include:

Price and other terms

Provide for the HQS and private pre-inspections with a contingency that the buyer is not obligated unless the inspections are satisfactory to the buyer and the Authority

Buyer is not obligated to make any repairs to the home

A certification that the seller is not disbarred, suspended, or subject to a limited denial by HUD

A reasonable closing date

12. Family Obligations

The family must complete a Statement of Family Obligations form prior to issuance of a HOV and prior to the initiation of any assistance. Family obligations Include:

The HOV assisted unit must be the family's primary and only residence.

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The family must adhere to all required Section 8 family requirements and is subject to HUD's required adherence to the "One Strike" no tolerance policy on criminal drug related violations and other criminal violations.

The family must comply with the terms of the mortgage

At any time the family is receiving HOV assistance, the family may not sell or transfer any interest in the home to any entity or person other than a member of the assisted family residing in the home.

A home equity or refinancing loan may not be obtained without the prior written consent of the Authority.

The family must provide required information regarding income and family composition, including any changes, to the Authority in order to correctly calculate the total tenant payment and the amount of HOV assistance in accordance with current and applicable HUD requirements. The family must provide all information pertaining to the financing, potential transfers of interest, and the family's homeownership expenses.

The family must notify the Authority if the family defaults on any debt or mortgage pertaining to the HOV assisted home.

The family must notify the Authority of any changes in family composition and if any person moves out of the home,

The family must document at annual reexamination time that the family is current with all mortgage, insurance, taxes, and utility payments.

The family must adhere to Authority requirements prior to moving from the unit. The family may be required to participate in pre and post purchase homeownership counseling prior to rehousing.

While receiving HOV assistance, no family member may have any ownership interest in any other residential property.

The family may not lease or sub-lease the home while receiving HOV assistance.

13. Issuance and Term of HOV

A HOV will only be issued once the family has completed all required items described in this policy and has received a mortgage pre-approval letter. The HOV will be issued for a period of 120 days with up to a 60 extension available. If a HOV voucher is not used at the end of the issue term, the family will be dropped from the HOV program and will revert their

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regular HCV program status. They will not be eligible to reapply for HOV status for a period of at least one year from the date their previous eligibility expired.

HOV assistance will be terminated if the family defaults on the mortgage for the home.

HOV assistance will be terminated if the family moves from the unit or transfers through sale or other mechanisms the ownership of the home.

HOV assistance may be terminated for any of the reasons for terminating participation in the standard HCV program.

HOV participation may also end if the family becomes ineligible for HCV/HOV participation due to income levels.

If the family satisfactorily ends its participation in the HOV program, the family may remain eligible to continue in the regular HCT rental program.

The initial property purchased under the HOV program must be within the Authority's operating jurisdiction.

14. Approval and Denials of Assistance

The Authority reserves the right to approve and deny HOV assistance at its discretion. An informal hearing will be offered to participants who are being terminated from the program at any point due to the family's actions or failure to act. Normal rules for Section 8 informal hearing will apply.

The Authority reserves the right to terminate the program at any point and without notice if HUD rescinds the authority to operate the program or if HUD funding is not provided in a sufficient level to fund the programs.

15. ED waivers of HA requirements

The Authority reserves the right to make changes in this policy or procedure at any time to comply with HUD requirements, changes in HUD requirements, or to make minor adjustments, refinements, clarifications, or interpretations of the policy or procedure. The Executive Director may at his sole discretion, waive Authority procedures in exceptional cases. The Authority reserves the right to cancel this program at the sole discretion of the Authority. Cancellation would not impact any currently assisted HOV participants.