PHA 5-Year and	U.S. Department of Housing and Urban	OMB No. 2577-0226		
	Development	Expires 4/30/2011		
Annual Plan	Office of Public and Indian Housing			

1.0	PHA Information							
	PHA Name:	Daufannina	Standard	PHA Code:				
	PHA Type: Small High PHA Fiscal Year Beginning: (MM/YYYY):	Performing		HCV (Section 8)				
	The risear rear beginning. (whw/ 1111).							
2.0	Inventory (based on ACC units at time of F	Y beginning i	n 1.0 above)					
	Number of PH units: Number of HCV units:							
3.0	Submission Type							
	5-Year and Annual Plan	□ 5-Year and Annual Plan □ Annual Plan Only □ 5-Year Plan Only						
4.0								
	PHA Consortia	HA Consortia	: (Check box if submitting a join	nt Plan and complete table bel	ow.)			
		DULA			No. of Uni	ts in Each		
	Participating PHAs	PHA Code	Program(s) Included in the Consortia	Programs Not in the Consortia	Program			
		Code	Consortia	Consortia	PH	HCV		
	PHA 1:							
	PHA 2:							
	PHA 3:							
5.0	5-Year Plan. Complete items 5.1 and 5.2 only at 5-Year Plan update.							
5.1	Mission. State the PHA's Mission for servin	a the needs of	flow income very low income	and axtramely low income f	milies in the I			
5.1	jurisdiction for the next five years:	ig the needs t	i low-meome, very low-meome	, and extremely low medine in	annines in the I	IIA S		
	jurisdiction for the next five years.							
5.2	Goals and Objectives. Identify the PHA's c low-income, and extremely low-income fami							
	and objectives described in the previous 5-Ye		ext live years. Include a report of	on the progress the PHA has h	nade in meetin	g the goals		
	and objectives described in the previous 5-10	car i fan.						
6.0	PHA Plan Update							
	(a) Identify all DIIA Dian elements that have been revised by the DIIA since its last A much Dian submission.							
	(a) Identify all PHA Plan elements that have been revised by the PHA since its last Annual Plan submission:							
	(b) Identify the endities location (a) where the multic may obtain conice of the 5 Version 1 Ameril DITA Dire Terre constant 1' (CDITA Di							
	(b) Identify the specific location(s) where the public may obtain copies of the 5-Year and Annual PHA Plan. For a complete list of PHA Plan elements, see Section 6.0 of the instructions.							
7.0	Hope VI, Mixed Finance Modernization of	r Developme	nt. Demolition and/or Disposit	tion. Conversion of Public H	ousing, Home	ownership		
	Programs, and Project-based Vouchers. In				8,	····· F		
8.0	Capital Improvements. Please complete Pa	rts 8.1 throug	gh 8.3, as applicable.					
	Capital Fund Program Annual Statement/	Performance	e and Evaluation Report Act	part of the PHA 5-Vear and A	nnual Plan and	nually		
8.1	complete and submit the <i>Capital Fund Progr</i>							
	open CFP grant and CFFP financing.				, 101 ouoli	und		
8.2	Capital Fund Program Five-Year Action Plan. As part of the submission of the Annual Plan, PHAs must complete and submit the Capital Fund							
0.2	<i>Program Five-Year Action Plan</i> , form HUD-50075.2, and subsequent annual updates (on a rolling basis, e.g., drop current year, and add latest year for a five year period). Large capital items must be included in the Five-Year Action Plan.							
	for a five year period). Large capital items n	nust be includ	ied in the Five-Year Action Plan	l.				
8.3	Capital Fund Financing Program (CFFP).							
0.0	Capital Fund Financing Flogram (CFFF).							
	finance capital improvements.							

9.0	Housing Needs . Based on information provided by the applicable Consolidated Plan, information provided by HUD, and other generally available data, make a reasonable effort to identify the housing needs of the low-income, very low-income, and extremely low-income families who reside in the jurisdiction served by the PHA, including elderly families, families with disabilities, and households of various races and ethnic groups, and other families who are on the public housing and Section 8 tenant-based assistance waiting lists. The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location.
9.1	Strategy for Addressing Housing Needs. Provide a brief description of the PHA's strategy for addressing the housing needs of families in the jurisdiction and on the waiting list in the upcoming year. Note: Small, Section 8 only, and High Performing PHAs complete only for Annual Plan submission with the 5-Year Plan.
10.0	Additional Information. Describe the following, as well as any additional information HUD has requested.
	(a) Progress in Meeting Mission and Goals. Provide a brief statement of the PHA's progress in meeting the mission and goals described in the 5- Year Plan.
	(b) Significant Amendment and Substantial Deviation/Modification. Provide the PHA's definition of "significant amendment" and "substantial deviation/modification"
11.0	Required Submission for HUD Field Office Review. In addition to the PHA Plan template (HUD-50075), PHAs must submit the following
	 documents. Items (a) through (g) may be submitted with signature by mail or electronically with scanned signatures, but electronic submission is encouraged. Items (h) through (i) must be attached electronically with the PHA Plan. Note: Faxed copies of these documents will not be accepted by the Field Office. (a) Form HUD-50077, <i>PHA Certifications of Compliance with the PHA Plans and Related Regulations</i> (which includes all certifications relating to Civil Rights) (b) Form HUD-50070, <i>Certification for a Drug-Free Workplace</i> (PHAs receiving CFP grants only) (c) Form HUD-50071, <i>Certification of Payments to Influence Federal Transactions</i> (PHAs receiving CFP grants only) (d) Form SF-LLL, <i>Disclosure of Lobbying Activities</i> (PHAs receiving CFP grants only) (e) Form SF-LLL-A, <i>Disclosure of Lobbying Activities Continuation Sheet</i> (PHAs receiving CFP grants only) (f) Resident Advisory Board (RAB) comments. Comments received from the RAB must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the recommendations and the decisions made on these recommendations. (g) Challenged Elements (h) Form HUD-50075.1, <i>Capital Fund Program Annual Statement/Performance and Evaluation Report</i> (PHAs receiving CFP grants only) (i) Form HUD-50075.2, <i>Capital Fund Program Five-Year Action Plan</i> (PHAs receiving CFP grants only)

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, as amended, which introduced 5-Year and Annual PHA Plans. The 5-Year and Annual PHA plans provide 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 is to be used by all PHA types for submission of the 5-Year and Annual Plans to HUD. Public reporting burden for this information collection is estimated to average 12.68 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

Privacy Act Notice. The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality

Instructions form HUD-50075

Applicability. This form is to be used by all Public Housing Agencies (PHAs) with Fiscal Year beginning April 1, 2008 for the submission of their 5-Year and Annual Plan in accordance with 24 CFR Part 903. The previous version may be used only through April 30, 2008.

1.0 PHA Information

Include the full PHA name, PHA code, PHA type, and PHA Fiscal Year Beginning (MM/YYYY).

2.0 Inventory

Under each program, enter the number of Annual Contributions Contract (ACC) Public Housing (PH) and Section 8 units (HCV).

3.0 Submission Type

Indicate whether this submission is for an Annual and Five Year Plan, Annual Plan only, or 5-Year Plan only.

4.0 PHA Consortia

Check box if submitting a Joint PHA Plan and complete the table.

5.0 Five-Year Plan

Identify the PHA's Mission, Goals and/or Objectives (24 CFR 903.6). Complete only at 5-Year update.

5.1 Mission. A statement of the mission of the public housing agency for serving the needs of low-income, very low-income, and extremely low-income families in the jurisdiction of the PHA during the years covered under the plan.

5.2 Goals and Objectives. Identify quantifiable goals and objectives that will enable the PHA to serve the needs of low income, very low-income, and extremely low-income families.

- **6.0 PHA Plan Update.** In addition to the items captured in the Plan template, PHAs must have the elements listed below readily available to the public. Additionally, a PHA must:
 - (a) Identify specifically which plan elements have been revised since the PHA's prior plan submission.
 - (b) Identify where the 5-Year and Annual Plan may be obtained by the public. At a minimum, PHAs must post PHA Plans, including updates, at each Asset Management Project (AMP) and main office or central off ice of the PHA. PHAs are strongly encouraged to post complete PHA Plans on its official website. PHAs are also encouraged to provide each resident council a copy of its 5-Year and Annual Plan.

PHA Plan Elements. (24 CFR 903.7)

1. Eligibility, Selection and Admissions Policies, including Deconcentration and Wait List Procedures. Describe the PHA's policies that govern resident or tenant eligibility, selection and admission including admission preferences for both public housing and HCV and unit assignment policies for public housing; and procedures for maintaining waiting lists for admission to public housing and address any site-based waiting lists.

- 2. Financial Resources. A statement of financial resources, including a listing by general categories, of the PHA's anticipated resources, such as PHA Operating, Capital and other anticipated Federal resources available to the PHA, as well as tenant rents and other income available to support public housing or tenant-based assistance. The statement also should include the non-Federal sources of funds supporting each Federal program, and state the planned use for the resources.
- **3. Rent Determination.** A statement of the policies of the PHA governing rents charged for public housing and HCV dwelling units.
- 4. Operation and Management. A statement of the rules, standards, and policies of the PHA governing maintenance management of housing owned, assisted, or operated by the public housing agency (which shall include measures necessary for the prevention or eradication of pest infestation, including cockroaches), and management of the PHA and programs of the PHA.
- **5. Grievance Procedures.** A description of the grievance and informal hearing and review procedures that the PHA makes available to its residents and applicants.
- 6. Designated Housing for Elderly and Disabled Families. With respect to public housing projects owned, assisted, or operated by the PHA, describe any projects (or portions thereof), in the upcoming fiscal year, that the PHA has designated or will apply for designation for occupancy by elderly and disabled families. The description shall include the following information: 1) development name and number; 2) designation type; 3) application status; 4) date the designation was approved, submitted, or planned for submission, and; 5) the number of units affected.
- 7. Community Service and Self-Sufficiency. A description of: (1) Any programs relating to services and amenities provided or offered to assisted families; (2) Any policies or programs of the PHA for the enhancement of the economic and social self-sufficiency of assisted families, including programs under Section 3 and FSS; (3) How the PHA will comply with the requirements of community service and treatment of income changes resulting from welfare program requirements. (Note: applies to only public housing).
- Safety and Crime Prevention. For public housing only, describe the PHA's plan for safety and crime prevention to ensure the safety of the public housing residents. The statement must include: (i) A description of the need for measures to ensure the safety of public housing residents; (ii) A description of any crime prevention activities conducted or to be conducted by the PHA; and (iii) A description of the coordination between the PHA and the appropriate police precincts for carrying out crime prevention measures and activities.

- 9. Pets. A statement describing the PHAs policies and requirements pertaining to the ownership of pets in public housing.
- 10. Civil Rights Certification. A PHA will be considered in compliance with the Civil Rights and AFFH Certification if: it can document that it examines its programs and proposed programs to identify any impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with the local jurisdiction to implement any of the jurisdiction's initiatives to affirmatively further fair housing; and assures that the annual plan is consistent with any applicable Consolidated Plan for its jurisdiction.
- 11. Fiscal Year Audit. The results of the most recent fiscal year audit for the PHA.
- 12. Asset Management. A statement of how the agency will carry out its asset management functions with respect to the public housing inventory of the agency, including how the agency will plan for the long-term operating, capital investment, rehabilitation, modernization, disposition, and other needs for such inventory.
- 13. Violence Against Women Act (VAWA). A description of: 1) Any activities, services, or programs provided or offered by an agency, either directly or in partnership with other service providers, to child or adult victims of domestic violence, dating violence, sexual assault, or stalking; 2) Any activities, services, or programs provided or offered by a PHA that helps child and adult victims of domestic violence, dating violence, sexual assault, or stalking, to obtain or maintain housing; and 3) Any activities, services, or programs provided or offered by a public housing agency to prevent domestic violence, dating violence, sexual assault, and stalking, or to enhance victim safety in assisted families.

Hope VI, Mixed Finance Modernization or Development, 7.0 Demolition and/or Disposition, Conversion of Public Housing, Homeownership Programs, and Project-based Vouchers

Hope VI or Mixed Finance Modernization or Development. (a) 1) A description of any housing (including project number (if known) and unit count) for which the PHA will apply for HOPE VI or Mixed Finance Modernization or Development; and 2) A timetable for the submission of applications or proposals. The application and approval process for Hope VI, Mixed Finance Modernization or Development, is a separate process. See guidance on HUD's website at: http://www.hud.gov/offices/pih/programs/ph/hope6/index.cfm

(b) Demolition and/or Disposition. With respect to public housing projects owned by the PHA and subject to ACCs under the Act: (1) A description of any housing (including project number and unit numbers [or addresses]), and the number of affected units along with their sizes and accessibility features) for which the PHA will apply or is currently pending for demolition or disposition; and (2) A timetable for the demolition or disposition. The application and approval process for demolition and/or disposition is a separate process. See guidance on HUD's website at:

http://www.hud.gov/offices/pih/centers/sac/demo_dispo/index.c fm

Note: This statement must be submitted to the extent that approved and/or pending demolition and/or disposition has changed.

Conversion of Public Housing. With respect to public (c) housing owned by a PHA: 1) A description of any building or buildings (including project number and unit count) that the PHA is required to convert to tenant-based assistance or that the public housing agency plans to voluntarily convert; 2) An analysis of the projects or buildings required to be converted; and 3) A statement of the amount of assistance received under this chapter to be used for rental assistance or other housing assistance in connection with such conversion. See guidance on HUD's website at:

http://www.hud.gov/offices/pih/centers/sac/conversion.cfm

- (d) Homeownership. A description of any homeownership (including project number and unit count) administered by the agency or for which the PHA has applied or will apply for approval.
- (e) Project-based Vouchers. If the PHA wishes to use the project-based voucher program, a statement of the projected number of project-based units and general locations and how project basing would be consistent with its PHA Plan.
- 8.0 Capital Improvements. This section provides information on a PHA's Capital Fund Program. With respect to public housing projects owned, assisted, or operated by the public housing agency, a plan describing the capital improvements necessary to ensure long-term physical and social viability of the projects must be completed along with the required forms. Items identified in 8.1 through 8.3, must be signed where directed and transmitted electronically along with the PHA's Annual Plan submission.
 - 8.1 Capital Fund Program Annual Statement/Performance and Evaluation Report. PHAs must complete the Capital Fund Program Annual Statement/Performance and Evaluation Report (form HUD-50075.1), for each Capital Fund Program (CFP) to be undertaken with the current year's CFP funds or with CFFP proceeds. Additionally, the form shall be used for the following purposes:
 - (a) To submit the initial budget for a new grant or CFFP;
 - To report on the Performance and Evaluation Report progress **(b)** on any open grants previously funded or CFFP; and
 - To record a budget revision on a previously approved open (c) grant or CFFP, e.g., additions or deletions of work items, modification of budgeted amounts that have been undertaken since the submission of the last Annual Plan. The Capital Fund Program Annual Statement/Performance and Evaluation Report must be submitted annually.

Additionally, PHAs shall complete the Performance and Evaluation Report section (see footnote 2) of the Capital Fund Program Annual Statement/Performance and Evaluation (form HUD-50075.1), at the following times:

- At the end of the program year; until the program is 1. completed or all funds are expended;
- When revisions to the Annual Statement are made, 2. which do not require prior HUD approval, (e.g., expenditures for emergency work, revisions resulting from the PHAs application of fungibility); and
- 3. Upon completion or termination of the activities funded in a specific capital fund program year.

8.2 Capital Fund Program Five-Year Action Plan

PHAs must submit the Capital Fund Program Five-Year Action Plan (form HUD-50075.2) for the entire PHA portfolio for the first year of participation in the CFP and annual update thereafter to eliminate the previous year and to add a new fifth year (rolling basis) so that the form always covers the present five-year period beginning with the current year.

8.3 Capital Fund Financing Program (CFFP). Separate, written HUD approval is required if the PHA proposes to pledge any

portion of its CFP/RHF funds to repay debt incurred to finance capital improvements. The PHA must identify in its Annual and 5year capital plans the amount of the annual payments required to service the debt. The PHA must also submit an annual statement detailing the use of the CFFP proceeds. See guidance on HUD's website at:

http://www.hud.gov/offices/pih/programs/ph/capfund/cffp.cfm

- **9.0 Housing Needs.** Provide a statement of the housing needs of families residing in the jurisdiction served by the PHA and the means by which the PHA intends, to the maximum extent practicable, to address those needs. (**Note:** Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan).
 - 9.1 Strategy for Addressing Housing Needs. Provide a description of the PHA's strategy for addressing the housing needs of families in the jurisdiction and on the waiting list in the upcoming year. (Note: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan).
- **10.0 Additional Information.** Describe the following, as well as any additional information requested by HUD:
 - (a) Progress in Meeting Mission and Goals. PHAs must include (i) a statement of the PHAs progress in meeting the mission and goals described in the 5-Year Plan; (ii) the basic criteria the PHA will use for determining a significant amendment from its 5-year Plan; and a significant amendment or modification to its 5-Year Plan and Annual Plan. (Note: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan).
 - (b) Significant Amendment and Substantial Deviation/Modification. PHA must provide the definition of "significant amendment" and "substantial deviation/modification". (Note: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan.)

- (c) PHAs must include or reference any applicable memorandum of agreement with HUD or any plan to improve performance. (Note: Standard and Troubled PHAs complete annually).
- **11.0 Required Submission for HUD Field Office Review.** In order to be a complete package, PHAs must submit items (a) through (g), with signature by mail or electronically with scanned signatures. Items (h) and (i) shall be submitted electronically as an attachment to the PHA Plan.
 - (a) Form HUD-50077, PHA Certifications of Compliance with the PHA Plans and Related Regulations
 - (b) Form HUD-50070, Certification for a Drug-Free Workplace (PHAs receiving CFP grants only)
 - (c) Form HUD-50071, Certification of Payments to Influence Federal Transactions (PHAs receiving CFP grants only)
 - (d) Form SF-LLL, *Disclosure of Lobbying Activities* (PHAs receiving CFP grants only)
 - (e) Form SF-LLL-A, *Disclosure of Lobbying Activities Continuation Sheet* (PHAs receiving CFP grants only)
 - (f) Resident Advisory Board (RAB) comments.
 - (g) Challenged Elements. Include any element(s) of the PHA Plan that is challenged.
 - (h) Form HUD-50075.1, Capital Fund Program Annual Statement/Performance and Evaluation Report (Must be attached electronically for PHAs receiving CFP grants only). See instructions in 8.1.
 - (i) Form HUD-50075.2, *Capital Fund Program Five-Year Action Plan* (Must be attached electronically for PHAs receiving CFP grants only). See instructions in 8.2.

2. RENT DETERMINATION

INCOME, EXCLUSIONS FROM INCOME, DEDUCTIONS FROM INCOME

To determine annual income, the Derby Housing Authority counts the income of all family members, excluding the types and sources of income that are specifically excluded. Once the annual income is determined, the Derby Housing Authority subtracts out all allowable deductions (allowances) as the next step in determining the Total Tenant Payment.

INCOME

- A. Annual income means all amounts, monetary or not, that:
 - 1. Go to (or on behalf of) the family head or spouse (even if temporarily absent) or to any other family member, or
 - 2. Are anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date; and
 - 3. Are not specifically excluded from annual income.
- B. Annual income includes, but is not limited to:
 - 1. The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services.
- 2. The net income from the operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness are not used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight-line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession is included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family.
- 3. Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness are not used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight-line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from an investment is included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the

family. Where the family has net family assets in excess of \$5,000, annual income includes the greater of the actual income derived from all net family assets or a percentage of the value of such assets based on the current passbook savings rate, as determined by HUD.

- 4. The full amount of periodic amounts received from Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefits, and other similar types of periodic receipts, including a lump-sum amount or prospective monthly amounts for the delayed start of a periodic amount. (However, deferred periodic amounts from supplemental security income and Social Security benefits that are received in a lump sum amount or in prospective monthly amounts are excluded.)
- 5. Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay. (However, lump sum additions such as insurance payments from worker's compensation are excluded.)
- 6. Welfare assistance.
 - a. If the welfare assistance payment includes an amount specifically designated for shelter and utilities that is subject to adjustment by the welfare assistance agency in accordance with the actual cost of shelter and utilities, the amount of welfare assistance income to be included as income consists of:
 - I. The amount of the allowance or grant exclusive of the amount specifically designated for shelter or utilities; plus
 - II. The maximum amount that the welfare assistance agency could in fact allow the family for shelter and utilities. If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under this requirement is the amount resulting from one application of the percentage.
 - b. If the amount of welfare is reduced due to an act of fraud by a family member or because of any family member's failure to comply with requirements to participate in an economic self-sufficiency program or work activity, the amount of rent required to be paid by the family will not be decreased in such cases, the amount of income attributable to the family will include what the family would have received had they complied with the welfare requirements and/or had not committed an act of fraud.
 - c. If the amount of welfare assistance is reduced as a result of a lifetime time limit, the reduced amount is the amount that shall be counted.

- 7. Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from organizations or from persons not residing in the dwelling.
- 8. All regular pay, special pay, and allowances of a member of the Armed Forces. (Special pay to a member exposed to hostile fire is excluded.)

EXCLUSIONS FROM INCOME

Annual income does not include the following:

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

- 4. Amounts received under a resident service stipend. A resident service stipend is a modest amount (not to exceed \$200 per month) received by a resident for performing a service for the Housing Authority or owner, on a part-time basis, that enhances the quality of life in the development. Such services may include, but are not limited to, fire patrol, hall monitoring, lawn maintenance, resident initiative coordination. No resident may receive more than one such stipend during the same period of time;
- 5. Incremental earnings and benefits resulting to any family member from participation in qualifying State or local employment training programs (including training programs not affiliated with a local government) and training of a family member as resident management staff. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives and are excluded only for the period during which the family member participates in the employment training program;
- 6. Temporary, non-recurring, or sporadic income (including gifts);
- 7. Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era;
- 8. Earnings in excess of \$480 for each full-time student 18 years old or older (excluding the head of household and spouse);
- 9. Adoption assistance payments in excess of \$480 per adopted child;
- 10. Deferred periodic amounts from Supplemental Security Income and Social Security benefits that are received in a lump sum amount or in prospective monthly amounts;
- 11. Amounts received by the family in the form of refunds or rebates under State or local law for property taxes paid on the dwelling unit;
- 12. Amounts paid by a State agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home; or
- 13. Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits.

These exclusions include:

a. The value of the allotment of food stamps

- b. Payments to volunteers under the Domestic Volunteer Services Act of 1973
- c. Payments received under the Alaska Native Claims Settlement Act
- d. Income from submarginal land of the U.S. that is held in trust for certain Indian tribes
- e. Payments made under HHS's Low-Income Energy Assistance Program
- f. Payments received under the Job Training Partnership Act
- g. Income from the disposition of funds of the Grand River Band of Ottawa Indians
- h. The first \$2000 per capita received from judgment funds awarded for certain Indian claims
- i. Amount of scholarships awarded under Title IV including Work-Study
- j. Payments received under the Older Americans Act of 1965
- k. Payments from Agent Orange Settlement
- 1. Payments received under the Maine Indian Claims Act
- m. The value of child care under the Child Care and Development Block Grant Act of 1990
- n. Earned income tax credit refund payments
- o. Payments for living expenses under the AmeriCorps Program

DEDUCTIONS FROM ANNUAL INCOME

The following deductions will be made from annual income:

- A. \$480 for each dependent
- B. \$400 for any elderly family or disabled family
- C. For any family that is not an elderly or disabled family but has a member (other than the head or spouse) who is a person with a disability, disability assistance expenses in excess of 3% of annual income. This allowance may not exceed the employment income received by family members who are 18 years of age or older as a result of the assistance to the person with disabilities.

- D. For any elderly or disabled family:
 - 1. That has no disability assistance expenses, an allowance for medical expenses equal to the amount by which the medical expenses exceed 3% of annual income.
 - 2. That has disability expenses greater than or equal to 3% of annual income, an allowance for disability assistance expenses computed in accordance with paragraph C, plus an allowance for medical expenses that equal the family's medical expenses;
 - 3. That has disability assistance expenses that are less than 3% of annual income, an allowance for combined disability assistance expenses and medical expenses that is equal to the total of these expenses less 3% of annual income.
- E. Child care expenses.

5. GRIEVANCE PROCEDURES: REVIEWS FOR APPLICANTS, INFORMAL HEARINGS FOR PARTICIPANTS

COMPLAINTS

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

INFORMAL REVIEW FOR THE APPLICANT

A. Informal Review for the Applicant

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

B. When an Informal Review is not Required

The Derby Housing Authority will not provide the applicant an opportunity for an informal review for any of the following reasons:

1. A determination of the family unit size under the Derby Housing Authority subsidy standards.

- 2. A Derby Housing Authority determination not to approve an extension or suspension of a certificate or voucher term.
- 3. A Derby Housing Authority determination not to grant approval to lease a unit under the program or to approve a proposed lease.
- 4. A Derby Housing Authority determination that a unit selected by the applicant is not in compliance with HQS.
- 5. A Derby Housing Authority determination that the unit is not in accordance with HQS because of family size or composition.
- 6. General policy issues or class grievances.
- 7. Discretionary administrative determinations by the Derby Housing Authority.
- C. Informal Review Process

The Derby Housing Authority will give an applicant an opportunity for an informal review of the Derby Housing Authority decision denying assistance to the applicant. The procedure is as follows:

- 1. The review will be conducted by any person or persons designated by the Derby Housing Authority other than the person who made or approved the decision under review or a subordinate of this person.
- 2. The applicant will be given an opportunity to present written or oral objections to the Derby Housing Authority decision.
- 3. The Derby Housing Authority will notify the applicant of the Derby Housing Authority decision after the informal review within 14 calendar days. The notification will include a brief statement of the reasons for the final decision.
- D. Considering Circumstances

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

The Housing Authority may impose, as a condition of continued assistance for other family members, a requirement that family members who participated in or were culpable for the action or failure will not reside in the unit. The Housing Authority

may permit the other members of a participant family to continue receiving assistance.

If the Housing Authority seeks to terminate assistance because of illegal use, or possession for personal use, of a controlled substance, or pattern of abuse of alcohol, such use or possession or pattern of abuse must have occurred within one year before the date that the Housing Authority provides notice to the family of the Housing Authority determination to deny or terminate assistance. In determining whether to terminate assistance for these reasons the Derby Housing Authority will consider evidence of whether the household member:

- 1. Has successfully completed a supervised drug or alcohol rehabilitation program (as applicable) and is no longer engaging in the illegal use of a controlled substance or abuse of alcohol;
- 2. Has otherwise been rehabilitated successfully and is no longer engaging in the illegal use of a controlled substance or abuse of alcohol; or
- 3. Is participating in a supervised drug or alcohol rehabilitation program and is no longer engaging in the illegal use of a controlled substance or abuse of alcohol.
- E. Informal Review Procedures for Denial of Assistance on the Basis of Ineligible Immigration Status

The applicant family may request that the Derby Housing Authority provide for an informal review after the family has notification of the INS decision on appeal, or in lieu of request of appeal to the INS. This request must be made by the applicant family within 30 days of receipt of the *Notice of Denial or Termination of Assistance*, or within 30 days of receipt of the INS appeal decision.

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

INFORMAL HEARINGS FOR PARTICIPANTS

- A. When a Hearing is Required
 - 1. The Derby Housing Authority will give a participant family an opportunity for an informal hearing to consider whether the following Derby Housing Authority decisions relating to the individual circumstances of a participant family are in accordance with the law, HUD regulations, and Derby Housing Authority policies:

- a. A determination of the family's annual or adjusted income, and the use of such income to compute the housing assistance payment.
- b. A determination of the appropriate utility allowance (if any) for tenantpaid utilities from the Derby Housing Authority utility allowance schedule.
- c. A determination of the family unit size under the Derby Housing Authority subsidy standards.
- d. A determination that a HCV Program family is residing in a unit with a larger number of bedrooms than appropriate for the family unit size under the Derby Housing Authority subsidy standards, or the Derby Housing Authority determination to deny the family's request for an exception from the standards.
- e. A determination to terminate assistance for a participant family because of the family's action or failure to act.
- f. A determination to terminate assistance because the participant family has been absent from the assisted unit for longer than the maximum period permitted under the Derby Housing Authority policy and HUD rules.
- 2. In cases described in paragraphs 16.3(A)(1)(d), (e), and (f), of this Section the Derby Housing Authority will give the opportunity for an informal hearing before the Derby Housing Authority terminates housing assistance payments for the family under an outstanding HAP contract.
- B. When a Hearing is not Required

The Derby Housing Authority will not provide a participant family an opportunity for an informal hearing for any of the following reasons:

- 1. Discretionary administrative determinations by the Derby Housing Authority.
- 2. General policy issues or class grievances.
- 3. Establishment of the Derby Housing Authority schedule of utility allowances for families in the program.
- 4. A Derby Housing Authority determination not to approve an extension or suspension of a certificate or voucher term.
- 5. A Derby Housing Authority determination not to approve a unit or lease.

- 6. A Derby Housing Authority determination that an assisted unit is not in compliance with HQS. (However, the Derby Housing Authority will provide the opportunity for an informal hearing for a decision to terminate assistance for a breach of the HQS caused by the family.)
- 7. A Derby Housing Authority determination that the unit is not in accordance with HQS because of the family size.
- 8. A determination by the Derby Housing Authority to exercise or not exercise any right or remedy against the owner under a HAP contract.
- C. Notice to the Family
 - 1. In the cases described in paragraphs 16.3(A)(1)(a), (b), and (c), of this Section, the Derby Housing Authority will notify the family that the family may ask for an explanation of the basis of the Derby Housing Authority's determination, and that if the family does not agree with the determination, the family may request an informal hearing on the decision.
 - 2. In the cases described in paragraphs 16.3(A)(1)(d), (e), and (f), of this Section, the Derby Housing Authority will give the family prompt written notice that the family may request a hearing within 10 business days of the notification. The notice will:
 - a. Contain a brief statement of the reasons for the decision; and
 - b. State that if the family does not agree with the decision, the family may request an informal hearing on the decision within 10 business days of the notification.
- D. Hearing Procedures

The Derby Housing Authority and participants will adhere to the following procedures:

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

Authority will be allowed to copy any such document at the Derby Housing Authority's expense. If the family does not make the document(s) available for examination on request of the Derby Housing Authority, the family may not rely on the document at the hearing.

Note: The term **document** includes records and regulations.

2. Representation of the Family

At its own expense, a lawyer or other representative may represent the family.

- 3. Hearing Officer
 - a. The hearing will be conducted by any person or persons designated by the Derby Housing Authority, other than a person who made or approved the decision under review or a subordinate of this person.
 - b. The person who conducts the hearing will regulate the conduct of the hearing in accordance with the Derby Housing Authority hearing procedures.
- 4. Evidence

The Derby Housing Authority and the family must have the opportunity to present evidence and may question any witnesses. Evidence may be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings.

5. Issuance of Decision

The person who conducts the hearing must issue a written decision within 14 calendar days from the date of the hearing, stating briefly the reasons for the decision. Factual determinations relating to the individual circumstances of the family shall be based on a preponderance of the evidence presented at the hearing.

6. Effect of the Decision

The Derby Housing Authority is not bound by a hearing decision:

- a. Concerning a matter for which the Derby Housing Authority is not required to provide an opportunity for an informal hearing under this Section, or that otherwise exceeds the authority of the person conducting the hearing under the Derby Housing Authority hearing procedures.
- b. Contrary to HUD regulations or requirements, or otherwise contrary to Federal, State, or local law.

- c. If the Derby Housing Authority determines that it is not bound by a hearing decision, the Derby Housing Authority will notify the family within 14 calendar days of the determination, and of the reasons for the determination.
- E. Considering Circumstances

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

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

If the Housing Authority seeks to terminate assistance because of illegal use, or possession for personal use, of a controlled substance, or pattern of abuse of alcohol, such use or possession or pattern of abuse must have occurred within one year before the date that the Housing Authority provides notice to the family of the Housing Authority determination to deny or terminate assistance. In determining whether to terminate assistance for these reasons the Derby Housing Authority will consider evidence of whether the household member:

- 1. Has successfully completed a supervised drug or alcohol rehabilitation program (as applicable) and is no longer engaging in the illegal use of a controlled substance or abuse of alcohol;
- 2. Has otherwise been rehabilitated successfully and is no longer engaging in the illegal use of a controlled substance or abuse of alcohol; or
- 3. Is participating in a supervised drug or alcohol rehabilitation program and is no longer engaging in the illegal use of a controlled substance or abuse of alcohol.
- F. Informal Hearing Procedures for Denial of Assistance on the Basis of Ineligible Immigration Status

The participant family may request that the Derby Housing Authority provide for an informal hearing after the family has notification of the INS decision on appeal, or in lieu of request of appeal to the INS. This request must be made by the participant family within 30 days of receipt of the *Notice of Denial or Termination of Assistance*, or within 30 days of receipt of the INS appeal decision.

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

13. VIOLENCE AGAINST WOMEN ACT (VAWA)

The Derby Housing Authority has implemented as prescribed by the United States Department of Housing and Urban Development recognizes the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Pub. L. 109-162) (VAWA). More generally to set forth the Housing Authority's policies and procedures regarding Domestic Violence, Dating Violence and stalking, as hereinafter defined.

This policy shall be applicable to the administration by the HA of all federally subsidized public housing and Housing Choice Voucher/Section 8 rental assistance under the United States Housing Act of 1937 (42 U.S.C. 1437 et seq). Notwithstanding its title, this policy is gender-neutral, and its protections are available to males who are victims of domestic violence, dating violence or stalking as well as female victims of such violence.

GOALS AND OBJECTIVES

This policy has the following principal goals and objectives:

- a. Maintaining compliance with all applicable legal requirements imposed by VAWA;
- b. Ensuring the physical safety of victims of actual or threatened domestic violence, dating violence, or stalking who are assisted by the HA;
- c. Providing and maintaining housing opportunities for victims of domestic violence, dating violence, or stalking;
- d. Creating and maintaining collaborative arrangements between the HA, law enforcement authorities, victim service providers, and others to promote the safety and well-being of victims of actual and threatened domestic violence, dating violence and stalking, who are assisted by the HA; and
- e. Taking appropriate action in response to an incident or incidents of domestic violence, dating violence, or stalking, affecting individuals assisted by the HA.

OTHER HA POLICIES AND PROCEDURES

This Policy shall be referenced in and attached to the HA's Five-year Public Housing Agency Plan and shall be incorporated in and made a part of the HA's Admissions Standards and Continued Occupancy Policy. The HA's annual public housing agency plan shall also contain information concerning the HA's activities, services or programs relating to domestic violence, dating violence, and stalking.

To the extent any provisions of this policy shall vary or contradict any previously adopted policy or procedure of the HA, the provisions of this Policy shall prevail.

DEFINITIONS

As used in this Policy:

- A. *Domestic Violence* The term "domestic violence" includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected form that person's acts under the domestic or family violence laws of the jurisdiction.
- B. *Dating Violence* means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - (i) The length of the relationship
 - (ii) The type of relationship
 - (iii) The frequency of interaction between the persons involved in the relationship.
- C. *Stalking* means (A) (i) to follow, pursue, or repeatedly commit acts with the intent to kill, inure, harass, or intimidate another person; and (ii) to place under surveillance with the intent to kill, injure, harass or intimidate another person; and (B) in the course of, or as a result of, such following, pursuit, surveillance or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to (i) that person; (ii) a member of the immediate family of that person; or (iii) the spouse or intimate partner of that person;
- D. *Immediate Family Member* means, with respect to that person (A) a spouse, parent, brother, sister, or child of that person, or an individual to whom that person stands in loco parentis; (B) or any other person living in the household of that person and related to that person by blood or marriage.
- E. *Perpetrator* means person who commits an act of domestic violence, dating violence or stalking against a victim.

ADMISSION AND SCREENING

Non-Denial of Assistance. The HA will not deny admission to the Section 8 rental assistance program to any person because that person is or has been a victim of domestic violence, dating violence, or stalking, provided that such person is otherwise qualified for such admission.

TERMINATION OF TENANCY OR ASSISTANCE

- A. *VAWA Protections*. Under VAWA, persons assisted under the Section 8 rental assistance program have the following specific protections, which will be observed by the HA:
 - 1. An incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be considered to be a "serious or repeated" violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of or assistance to the victim of that violence.
 - 2. In addition to the foregoing, tenancy or assistance will not be terminated by the HA as a result of criminal activity, if that criminal activity is directly related to domestic violence, dating violence or stalking engaged in by a member of the assisted household, a guest or another person under the tenant's control, and the tenant or an immediate family member is the victim or threatened victim of this criminal activity. However, the protection against termination of tenancy or assistance described in this paragraph is subject to the following limitations:
 - a. Nothing contained in this paragraph shall limit any otherwise available authority of the HA or a Section 8 owner or manager to terminate tenancy, evict, or to terminate assistance, as the case may be, for any violation of a lease or program requirement not premised on the act or acts of domestic violence, dating violence, or stalking in question against the tenant or a member of the tenant's household. However, in taking any such action, neither the HA nor a Section 8 manager or owner may apply a more demanding standard to the victim of domestic violence, dating violence or stalking than that applied to other tenants.
 - b. Nothing contained in this paragraph shall be construed to limit the authority of the HA or a Section 8 owner or manager to evict or terminate from assistance any tenant or lawful applicant if the owner, manager or the HA, as the case may be, can demonstrate an actual and imminent threat to other tenants or to those employed at or providing service to the property, if the tenant is not evicted or terminated from assistance.

B. Removal of Perpetrator. Further, notwithstanding anything in paragraph 12.6 A.2. Or Federal, State or local law to the contrary, the HA or a Section 8 owner or manager, as the case may be, may bifurcate a lease, or remove a household member from a lease, without regard to whether the household member is a signatory to a lease, in order to evict, remove, terminate occupancy rights, or terminate assistance to any individual who is a tenant or lawful occupant and who engages in acts of physical violence against family members or others. Such action against the perpetrator of such physical violence may be taken without evicting; removing, terminating assistance to, or otherwise penalizing the victim of such violence who is also the tenant or a lawful occupant. Such eviction, removal, termination of occupancy rights, or termination of assistance shall be effected in accordance with the procedures prescribed by law applicable to terminations of tenancy and evictions by the HA. Leases used for dwelling units occupied by families assisted with Section 8 rental assistance administered by the HA, shall contain provisions setting forth the substance of this paragraph.

VERIFICATION OF DOMESTIC VIOLENCE, DATING VIOLENCE OR STALKING

A. *Requirement for Verification.* The law allows, but does not require, to verify that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking claimed by a tenant or other lawful occupant is bona fide and meets the requirements of the applicable definitions set forth in this policy. Subject only to waiver as provided in paragraph 12.7. C., the HA shall require verification in all cases where an individual claims protection against an action involving such individual proposed to be taken by the HA. Section 8 owners or managers receiving rental assistance administered by the HA may elect to require verification, or not to require it as permitted under applicable law.

Verification of a claimed incident or incidents of actual or threatened domestic violence, dating violence or stalking may be accomplished in one of the following three ways:

- 1. *HUD-approved form* by providing to the HA or the requesting Section 8 owner or manager a written certification, on a form approved by the U.S. Department of Housing and Urban Development (HUD), that the individual is a victim of domestic violence, dating violence or stalking that the incident or incidents in question are bona fide incidents of actual or threatened abuse meeting the requirements of the applicable definition(s) set forth in this policy. The incident or incidents in question must be described in reasonable detail as required in the HUD-approved form, and the completed certification must include the name of the perpetrator.
- 2. *Other documentation* by providing to the HA or to the requesting Section 8 owner or manager documentation signed by an employee, agent, or volunteer of a victim service provider, an attorney, or a medical professional, from

whom the victim has sought assistance in addressing the domestic violence, dating violence or stalking, or the effects of the abuse, described in such documentation. The professional providing the documentation must sign and attest under penalty of perjury (28 U.S.C. 1746) to the professional's belief that the incident or incidents in question are bona fide incidents of abuse meeting the requirements of the applicable definition(s) set forth in this policy. The victim of the incident or incidents of domestic violence, dating violence or stalking described in the documentation must also sign and attest to the documentation under penalty of perjury.

- 3. *Police or court record* by providing to the HA or to the requesting Section 8 owner or manager a Federal, State, tribal, territorial, or local police or court record describing the incident or incidents in question.
- B. *Time allowed to provide verification/failure to provide*. An individual who claims protection against adverse action based on an incident or incidents of actual or threatened domestic violence, dating violence or stalking, and who is requested by the HA to provide verification, must provide such verification within 14 business days (*i.e.*, 14 calendar days, excluding Saturdays, Sundays, and federally-recognized holidays) after receipt of the request for verification. Failure to provide verification, in proper form within such time will result in loss of protection under VAWA and this policy against a proposed adverse action.
- C. *Waiver of verification requirement.* The Director of the HA may, with respect to any specific case, waive the above-stated requirements for verification and provide the benefits of this policy based on the victim's statement or other corroborating evidence. Such waiver may be granted in the sole discretion of the Director. Any such waiver must be in writing. Waiver in particular instance or instances shall not operate as precedent for, or create any right to, waiver in any other case or cases, regardless of similarity in circumstances.

CONFIDENTIALITY

- A. *Right of confidentiality*. All information (including the fact that an individual is a victim of domestic violence dating violence or stalking) provided to the HA or to a Section 8 owner or manager in connection with a verification required under section 12.7 of this policy or provided in lieu of such verification where a waiver of verification is granted, shall be retained by the receiving party in confidence and shall neither be entered in any shared database nor provided to any related entity, except where disclosure is:
 - 1. requested or consented to by the individual in writing, or
 - 2. required for use in connection with termination of Section 8 assistance, as permitted in VAWA, or

- 3. otherwise required by applicable law.
- B. *Notification of rights*. All tenants of public housing and tenants participating in the Section 8 rental assistance program administered by the HA shall be notified in writing concerning their right to confidentiality and the limits on such rights to confidentiality.

TRANSFER TO A NEW RESIDENCE

Portability. A Section 8-assisted tenant will not be denied portability to a unit located in another jurisdiction (notwithstanding the term of the tenant's existing lease has not expired, or the family has not occupied the unit for 12 months) so long as the tenant has complied with all other requirements of the Section 8 program and has moved from the unit in order to protect a health or safety of an individual member of the household who is or has been the victim of domestic violence, dating violence or stalking and who reasonably believes that the tenant or other household member will be imminently threatened by harm from further violence if the individual remains in the present dwelling units.

RELATIONSHIP WITH SERVICE PROVIDERS

It is the policy of the HA to cooperate with organizations and entities, both private and governmental, that provide shelter and/or services to victims of domestic violence. If the HA staff become aware that an individual assisted by the HA is a victim of domestic violence, dating violence or stalking, the HA will refer the victim to such providers of shelter or services as appropriate. Notwithstanding the foregoing, this Policy dopes not create any legal obligation requiring the HA either to maintain a relationship with any particular provider of shelter or services to victims or domestic violence or to make a referral in any particular case.

NOTIFICATION

The HA shall provide written notification to applicants, tenants, and Section 8 owners and managers, concerning the rights and obligations created under VAWA relating to confidentiality, denial of assistance and, termination of tenancy or assistance.

RELATIONSHIP WITH OTHER APPLICABLE LAWS

Neither VAWA nor this Policy implementing it shall preempt or supersede any provision of Federal, State or local law that provides greater protection than that provided under VAWA for victims of domestic violence, dating violence or stalking.

HOUSING AUTHORITY CITY OF DERBY

45 Minerva Street P.O. Box 843 Derby, CT 06418

(203)735-6652 Telephone (203)734-0204 Fax

5.1 Mission:

The Derby Housing Authority seeks out to increase Equal Opportunity and Access to decent, safe, affordable housing free from discrimination and to support community development, economic opportunity, self-sufficiency. To expand homeownership and educational opportunities, and to participate in community rebuilding through lower densities, modern housing and integration of socio-economic groups.

5.2 Goals and Objectives:

The Derby Housing Authority is looking into expanding the city's supply of assisted housing:

- a) Acquire or build units or developments.
- b) Looking into securing program specific vouchers.

Improving the quality of assisted housing:

- a) Increase landlord awareness through workshops.
- b) Educate participant in vacant unit surroundings.

Increase assisted housing choices:

- a) Implement a Housing Choice Voucher Homeownership program.
- b) Seek Housing Choice Voucher mobility counseling.
- c) Working with local realtors.

6.0 PHA Plan Update:

a) Identify all PHA Plan elements that have been revised by the PHA since its last Annual Plan submission.

The Derby Housing Authority implemented a voluntary Housing Choice Voucher Family Self-Sufficiency Program.

b) Identify the specific location (s) where the public may obtain copies of the 5-Year and Annual PHA Plan.

Executive Director Steven Nakano

Board of Commissioners

Rosemary Hughes, Chairperson J.P. Rizzitelli, Vice Chairman Pauline Monaco, Secretary Joseph R. Romano, Treasurer Darrell Cotter The 5 Year Agency and Annual Plan is available for public inspection/copies at the Main Administrative Office of the Derby Housing Authority.

However, one Deviation from this 5 Year Agency and Annual PHA Plan is that it is only revised once every four (4) years.

9.1 Housing Needs:

- a) The Derby Housing Authority plans to address the situation of housing needs by reviewing income guidelines where all new admissions to the Housing Choice Voucher program are at seventy five (75) percent of the extremely low income level.
- b) In this current economic situation which has bestowed many property owners in the Derby city area; there is a large inventory of vacant housing than ever before. Statistics have shown that many families are leasing in not only downtown areas but also in the affluent residential areas of Derby.
- c) The Derby Housing Authority is also cognizant of reviewing the specific sampling of Elderly, Non-Elderly Disabled, Families, Families with Disabilities and various racial and ethnic groups from the Housing Choice Voucher Waiting List and housed. This method provides that no particular group is overlooked and everyone is eligible for subsidized housing.

Recently, The Housing Choice Voucher/Section 8 waiting list is closed and has been closed for the last 22 months. However, the waiting list will reopen in the PHA Plan year and the PHA does permit specific categories of families onto the waiting list.

Resident Advisory Board:

The Resident Advisory Board (RAB) for the Derby Housing Authority consists of one member who lives in one of the Elderly complexes (Lakeview Apartments) of the housing authority. Mrs. Pauline Monaco, the (RAB) member received and reviewed the 5 Year agency and Annual PHA Plan. Mrs. Monaco did not have any questions or comments, but did state that she is very impressed with the activities and the way the Derby Housing Authority is run.