

PHA 5-Year and Annual Plan	U.S. Department of Housing and Urban Development Office of Public and Indian Housing	OMB No. 2577-0226 Expires 4/30/2011
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1.0	PHA Information PHA Name: TOWN OF SOUTHAMPTON PHA Code: NY141 PHA Type: Small High Performing <input checked="" type="checkbox"/> Standard <input checked="" type="checkbox"/> HCV (Section 8) PHA Fiscal Year Beginning: :01-/01/2010				
2.0	Inventory (based on ACC units at time of FY beginning in 1.0 above) Number of PH units: _____ 0 _____ Number of HCV units: 321				
3.0	Submission Type <input type="checkbox"/> 5-Year and Annual Plan <input type="checkbox"/> Annual Plan Only <input checked="" type="checkbox"/> 5-Year Plan Only				
4.0	PHA Consortia <input type="checkbox"/> PHA Consortia: (Check box if submitting a joint Plan and complete table below.)				
	Participating PHAs	PHA Code	Program(s) Included in the Consortia	Programs Not in the Consortia	No. of Units in Each Program
	PHA 1:				PH HCV
	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 serving the needs of low-income, very low-income, and extremely low income families in the PHA's jurisdiction for the next five years: SEE ATTACHMENT NUMBERED 5.1				
5.2	Goals and Objectives. Identify the PHA's quantifiable goals and objectives that will enable the PHA to serve the needs of low-income and very low-income, and extremely low-income families for the next five years. Include a report on the progress the PHA has made in meeting the goals and objectives described in the previous 5-Year Plan. SEE ATTACHMENT NUMBERED 5.2				
6.0	PHA Plan Update (a) Identify all PHA Plan elements that have been revised by the PHA since its last Annual Plan submission: SEE ATTACHMENT # 6.0 (a) (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. PHA corporate and local offices are the same: 542 East Main Street, Riverhead, New York 11901				
7.0	Hope VI, Mixed Finance Modernization or Development, Demolition and/or Disposition, Conversion of Public Housing, Homeownership Programs, and Project-based Vouchers. Include statements related to these programs as applicable. <div style="text-align: right;">n/a</div>				
8.0	Capital Improvements. Please complete Parts 8.1 through 8.3, as applicable. <div style="text-align: right;">n/a</div>				
8.1	Capital Fund Program Annual Statement/Performance and Evaluation Report. As part of the PHA 5-Year and Annual Plan, annually complete and submit the <i>Capital Fund Program Annual Statement/Performance and Evaluation Report</i> , form HUD-50075.1, for each current and open CFP grant and CFFP financing. n/a				
8.2	Capital Fund Program Five-Year Action Plan. As part of the submission of the Annual Plan, PHAs must complete and submit the <i>Capital Fund 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. n/a				
8.3	Capital Fund Financing Program (CFFP). <input type="checkbox"/> Check if the PHA proposes to use any portion of its Capital Fund Program (CFP)/Replacement Housing Factor (RHF) to repay debt incurred to finance capital improvements. n/a				

9.0	<p>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.</p> <p>See Attachment Numbered 9.0</p>
9.1	<p>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. N/A -5 Year Plan submission only</p>
10.0	<p>Additional Information. Describe the following, as well as any additional information HUD has requested.</p> <p>(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.</p> <p>(b) Significant Amendment and Substantial Deviation/Modification. Provide the PHA's definition of "significant amendment" and "substantial deviation/modification"</p> <p>See Attachment Numbered 10.0 (a) and 10.0 (b)</p>
11.0	<p>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.</p> <p>(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)</p> <p>(b) Form HUD-50070, <i>Certification for a Drug-Free Workplace</i> (PHAs receiving CFP grants only)</p> <p>(c) Form HUD-50071, <i>Certification of Payments to Influence Federal Transactions</i> (PHAs receiving CFP grants only)</p> <p>(d) Form SF-LLL, <i>Disclosure of Lobbying Activities</i> (PHAs receiving CFP grants only)</p> <p>(e) Form SF-LLL-A, <i>Disclosure of Lobbying Activities Continuation Sheet</i> (PHAs receiving CFP grants only)</p> <p>(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.</p> <p>(g) Challenged Elements</p> <p>(h) Form HUD-50075.1, <i>Capital Fund Program Annual Statement/Performance and Evaluation Report</i> (PHAs receiving CFP grants only)</p> <p>(i) Form HUD-50075.2, <i>Capital Fund Program Five-Year Action Plan</i> (PHAs receiving CFP grants only)</p> <p>SEE LIST BELOW</p>

THE FOLLOWING DOCUMENTS ARE SUBMITTED WITH THE TEMPLATE FORM AND ATTACHMENT:

- (a) HUD form- 50077 Certification of Compliance with the PHA Plans and Related Regulations;
- (f) Resident Advisory Board (RAB) Information;
- (g) Challenged Elements- Certification relating to any RAB elements and changes made to the Plan.

Also, the most recent fiscal year audit is in the process of being completed. The 2008 calendar year audit will be submitted when completed in the fall of 2009.

According to the list stating required documents these are the only submissions that apply to our PHA.

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 office 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).**
8. **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.

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

- (a) **Hope VI or Mixed Finance Modernization or Development.**
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.cfm
Note: This statement must be submitted to the extent that **approved and/or pending** demolition and/or disposition has changed.
- (c) **Conversion of Public Housing.** With respect to public 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;
- (b) To report on the Performance and Evaluation Report progress on any open grants previously funded or CFFP; and
- (c) To record a budget revision on a previously approved open 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:

1. At the end of the program year; until the program is completed or all funds are expended;
2. When revisions to the Annual Statement are made, 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 5-year 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.

Town of Southampton (TOSH)
5 Year Plan 2010-20014
Template Form 50075- Attachment

5.0- The 5 Year Plan Update

5.1: Mission: The TOS's mission is to create affordable housing opportunities with the Town for local residents. We outreach to and serve the most vulnerable income populations in need and at the same time work with non-profit agencies and other government entities to increase rental and home ownership opportunities. Creating more housing and obtaining subsidies for those rental units will provide more choice to low and extremely low income families, in particular those families where a family member is disabled.

5.2: PHA's Goals and Objectives:

The first strategic goal is to improve the quality of life and economic vitality of neighborhoods. Obviously, increasing the number of high quality rental units dispersed throughout various neighborhoods in Southampton will go a long way in meeting this goal. On fixed incomes and often very fragile, these families (or individuals) are unable to negotiate for themselves successfully and have difficulty obtaining decent, safe and sanitary housing, so essential for a healthy quality of life in the community. Educating landlords and tenants as to HQS and monitoring HQS is part of the TOS's Section 8 program; this includes meeting the Town's rental permit requirements.

The second strategic goal continues to be increasing the availability of decent, safe and affordable housing. The TOS will continue to work on improving the quality of existing housing stock while at the same time seek land and funding opportunities to create and develop new affordable housing. These efforts include working with the Town Board, Land Management Department, local non-profits and various governmental entities providing funding.

The third strategic goal, as specified by HUD, is to ensure equal opportunity housing for all Americans. According to updated data from the U.S. Census 2005-2007, the minority population in the Town of Southampton is over 10%. The overall minority participation of various minority groups on the HCV program is significantly higher. Therefore, special outreach efforts are not needed to increase minority participation in the program, though the TOS continues to outreach to those groups least like to apply. The LEP program developed in the last few years, assures that families will not lose their opportunity to access the HCV because of language difficulties they encounter.

Service providers and disability advocates have encouraged staff to take a closer look at meeting the needs of the disabled population. With a truly limited amount of housing

stock that is affordable in the local community, fixed incomes, physical limitations and the need to be close to family members when possible, it seemed essential that people with disabilities should received a waiting list priority and that the Section 8 Administrative Plan should be revised to reflect this need. Often assisting with housing needs gives a disabled person a sense of security. In some cases, they then are better able to access programs that help them to better at living independently. This therefore, relates back to and has reinforced other goals and their objectives.

The fourth strategic goal is to promote self-sufficiency and assist development of families and individuals. The TOS's objective to implement this goal was to provide or attract supportive services. By doing so, the TOS would assist in increasing the independence of the elderly or families with a disabled family member. The TOS provides supportive services through its' Human Services Department and also works with various agencies that provide services depending on the specific need of the population at risk. During the five (5) year period of the Plan the TOS amended its' Section 8 Administrative Plan to prioritize assisting these two (2) most vulnerable populations: the elderly and the disabled. It continues to do so.

Progress in achieving goals 2005-2009: For the period from 2005-2009 the TOS identified strategic goals from a checklist Unfortunately, HUD cutback program funding for rental housing again during the time period of 2004-2009, therefore making it impossible to expand tenant based rental assistance in a meaningful way. As for improving code enforcement and therefore improving the quality of existing rental units, the TOS has improved and continued to work on maintaining high standards of code enforcement. We instituted a rental permit program in January of 2008 increasing the numbers of units that are inspected and therefore assuring quality control. By doing so, the quality of existing housing stock, for rental units leased on the Section 8 program, has continued to improve. (Fees for these permits are waived for landlords on the Section 8 program.)

As for the second strategic goal during 2005-2009, funding shortages also have affected achieving our goals as to improving the vitality of neighborhoods and choices within those neighborhoods. Funding shortages on various levels of government have made it extremely difficult to add more units. Therefore, in order to encourage revitalization of deteriorating neighborhoods the TOS has worked to refer clients (and link them to) various program within the TOS and the County of Suffolk that expand housing opportunities. The TOS also has provided funding, staff support and other resources to build the Southampton Town Housing Authority (TOSHA). This support has grown steadily and now the Town has provided land and resources for the TOSHA to build affordable rental and homeownership units. The rental units will use Section 8 subsidy when viable. (An urban renewal plan in the works will assist renters, homeowners and local businesses in one of the blighted areas within the Town and improve the quality of life in an entire neighborhood).

The third strategic goal was opening up homeownership opportunities in affordable housing and increasing affordable housing stock. Due to funding shortages and the high cost of housing in the Hamptons, homeownership accomplishments have been modest. Those who qualify for available program so far, are families whose incomes have been generally higher than moderate income for the area. Eighty-nine (89%) of housing units in Southampton are single family homes. Only eight (8%) are multi-family units and three (3%) are mobile homes.

Though there has been a need to accommodate all income levels when there is a shortage of housing, those hit hardest are those families with less income and therefore less choice. As families' incomes throughout the town have decreased and HUD and other subsidies have become more restrictive, moving to homeownership has not been realistic. That is why the Town has re-directed affordable housing resources, towards the TOSHA with the hope that a creative approach will increase a combination of rental and ownership opportunities in various locations.

6.0: PHA Admin Plan Update/ Changes:

- 1) The Town has emphasized the growly role of the Southampton Town Housing Authority (TOSHA) in the administration of the TOS' affordable housing programs;
- 2) The requirement that a landlord and tenant must not sign obligatory contractual documents, related to the lease-up of a new rental unit, without prior approval of the TOS. This refers specifically to non-HUD documents;
- 3) The TOS has clarified the definition of "family" and specify what happens when a family wants to upgrade a voucher size to change family composition; (This has been an issue as it applies to unrelated persons to be added to a family that can affect the size of the voucher, rental unit and/or subsidy paid ;
- 4) The language related to repayment agreements and related program violations have been simplified;
- 5) If a rental unit has serious HQS violations that threaten the health and safety of the family and the landlord has been unresponsive to requests by the office and inspector to correct the violations, this gives the TOS latitude to terminate the HAP contract and give the tenant permission to relocate in less than (thirty) 30 days;
- 6) Rental permit inspections by the Town building inspector are part of the ongoing quality control necessary to assure HQS compliance;

- 7) There is a clarification of the rent reasonableness process as to the standards and how various factors are applied;
- 8) Mid-month lease-ups, on a limited basis, are permitted;
- 9) As there have been issues as to live-in-aides in the past year, the TOS has clarified what a live-in-aide is and the documentation required to include a live-in aide;
- 10) Future programs are discussed in more detail as to the possibility of changes in program administration, including the options of project- based voucher and a homeownership.
- 11) There is a clearer picture of the financial management process and current staffing as well as a discussion of transitional and ongoing changes in staffing.

7.0 and 8.0 Do not Apply to the TOS

9.0: Housing Needs:

The Town of Southampton is located on the eastern end of Long Island, New York and is one of the Town's known as a summer vacation area for those with high incomes. It is located about eighty-five (85) miles from New York City and lies east of Brookhaven and Riverhead and just west of East Hampton Town. Like East Hampton, the summer population in all the "Hamptons" swells from three to four (3-4) times the size it is during the winter season (September after Labor Day to Memorial Day weekend in May).

Seasonal rentals and the large tourist economy during the summer season, require relocation of many local residents twice (2) during the year. Zoning and density (environmental) concerns have limited the amount of housing that can be developed. Affordable housing program sometimes require TDRs, (the properties from which you transfer development rights or sterilize in order to get a few units of housing density close by). Most rentals come from exiting housing stock, rather than new development and often need "work" to get them to meet HQS. Landlord are used to getting high rents in resort areas and so negotiating with landlords is even more difficult, especially when certain areas of the Town where high rent is charged are a good way of opening up housing opportunities.

As HUD funded rental subsidy programs have experienced tough choices and cutbacks in resources, so have state and local government. Often local non-profits and small municipalities, outside large metropolitan areas, have found themselves competing for scarcer resources and have had to make hard choices. Waiting lists swell with aging and extremely low income applicants. Disabled families have difficulty finding units where they really have a choice of locations and amenities, that is if they can find a suitable unit at all. Almost twelve (12%) of the population is disabled, but it is difficult to get housing, at reasonable rents, particularly for the mobility impaired. That is true even when reasonable accommodation is offered with higher rents.

Families losing jobs, wind up renting homes that lack adequate plumbing and/or heat. Families rent rooms or add more family members to their households to make ends meet. This taxes the septic systems, changes neighborhoods and communities when a rental unit meant for three or four (3 or 4) persons now has six (6) or more individuals living in those units. Utility bills climb as does wear and tear on the unit. Neighbor homeowners then resent ANY new housing in the area, especially renters who they see as having less of a commitment to the neighborhood.

If no new units are being built then existing housing stock is stressed with little opportunity for change. There needs to be more investment, on all levels, particularly in making housing choice vouchers available and providing funding for private/public partnerships to create more rental housing. The TOS intends to meet the need to expand housing opportunities by enhancing the role of the TOSHA in the Town so they create and manage more affordable housing in the Town. The TOS will also work with and support non-profit entities who can add to the housing stock

10.0: Additional Information:

(a) Please see answer to 5.2 (page 2) of this Template Attachment, for that analysis.

(b). Criteria for Substantial Deviations and Significant Amendments

The TOS and staff will review the following information when considering deviations and amendments to the Plan:

- 1) Comments of participants, in particular RAB members;
- 2) Information provided by HUD as to changes in the regulations and funding;
- 3) Information from the Suffolk County Planning Commission;
- 4) Consistency with the Suffolk County Consortium Plan;
- 5) Comments of service providers;

6) Financial reality.

If the TOS, upon recommendation of staff, considering factors using input from 1-6 above, wishes to deviate from the Plan substantially they will make recommendations for changes and submit them to the RAB (and public) for review and comment before adopting the proposed changes.

TOWN OF SOUTHAMPTON

FIVE YEAR PUBLIC HOUSING AGENCY PLAN: 2010-2014

SUBMITTED TO THE UNITED STATES DEPARTMENT OF
HOUSING AND URBAN DEVELOPMENT

THE TOWN OF SOUTHAMPTON ADMINISTERS THE
SECTION 8 HOUSING CHOICE VOUCHER PROGRAM

TOWN OF SOUTHAMPTON
COMMUNITY DEVELOPMENT DEPARTMENT
116 HAMPTON ROAD
SOUTHAMPTON, NEW YORK 11968
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Sandra Cirincione, Acting Housing Program Supervisor
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INTRODUCTION & SUMMARY- 5 YEAR PLAN- 2010-2014

TOWN OF SOUTHAMPTON

The Town of Southampton Community Development Department is a department of an east end township (municipality) in Suffolk County, New York. The Town of Southampton is a member of the Suffolk County Community Development Consortium and as such participated in the development of any County Plan. The Plan includes a commitment to assist in providing a suitable living environment for persons of low income and, as well, preventing homelessness.

By involving the Consortium municipalities in the planning process the hope is that they will also provide a funding commitment to meet these goals. However, with budget cuts in federal programs such as the Section 8 Housing Choice Voucher Program, local governments are being asked to find additional ways to provide financial support. Thus far, the Town of Southampton has made various funding commitments to make up for the fact the HUD and other governmental entities have demanded more administrative tasks of the staff persons implementing programs, while at the same time cutting fund and funding opportunities for lower income rental subsidies. Over the last eight (8) years, the federal government had changed the emphasis in funding away from rental programs. It has directed a huge portion of available resources toward home ownership programs.

Shortly before the Town submitted the 5 Year Plan in 2004 for the current period, the Town created the Southampton Town Housing Authority (TOSHA). This was done pursuant to New York State Public Housing Finance Law, approved by Town Board resolution and New York State. The Town appoints TOSHA board members and participates in TOSHA meetings. The Town, over a number of years, has provided seed monies for administrative expenses, purchased a low income housing project and allocated vacant land parcels, all for the TOSHA to build its' resume and become an important entity in the field of affordable housing. During the last year they have provided funding for full time staff and developed a transition plan for the TOSHA to take over a number of housing functions within the Town. Given the shortage of rental housing with Southampton Town, the Town believes it is critical to support the TOSHA efforts to develop and manage housing and housing programs, utilizing experienced personnel, the TOSHA's bonding authority and other resources, ultimately including the Section 8 Housing Choice Voucher Program.

Also, given the rising housing development and construction costs in the County, it is even more difficult for the people on fixed incomes to locate suitable housing, even at the current level of Section 8 funding. In the 1990's only 18% of the housing built in the County was for rental while at the same time 56% of the households were low-income. Yet, general homelessness decreased, perhaps because of increased funding and improved supportive services. The Consortium Plan makes increasing the supply of housing for the elderly, and the disabled, as a non-homeless special needs population, as a high priority in the next five (5) years. The TOS also believes this a high priority population.

Issues such as the high cost of development, ground water protection for the fragile local aquifer, limits on local zoning for high density housing, neighbors strong objections to changing zoning because of the perception of “lowering” property values and simply the lack of any affordable housing for people in the region. EVEN at median income levels, there are great obstacles to both the County and the Town of Southampton in meeting its’ goals. The rate of foreclosures in Suffolk County is very high and recent programs have focused on saving homes for foreclosure. Owners of some of these homes will add to the numbers of homeless and those seeking rentals for their families.

With more and more Section 8 families losing jobs and having hours cut, subsidies must increase. These economic changes put an even greater stress on families and funding. Unless HUD adds additional funding fewer families will be served; waiting list applicants will not receive assistance for years. The need grows every day as foreclosures grow and homeowners now become renters further squeezing the rental market.

Without a combined commitment on all levels of government as well as help from the private sector, to be elderly and/or disabled on Long Island, and more significantly poor, is frightening as we move into the 21st century.

The concern obviously is that those at the bottom end of the income scale, particularly those with no hope of substantially increasing their income, will end up homeless or living in substandard housing if HUD programs continue to be cut as well as having rental funds move into the home ownership programs. It is important to understand that there are people who will never be able to own a home. Therefore, The TOS recognizes its’ responsibility to assist those who are most vulnerable and have the least choice. In order to deal with that responsibility the TOS will support the TOSHA and local non-profit groups, often working as partners, to develop the much needed housing within the Town.

RESIDENT ADVISORY BOARD COMMENTS

A meeting of the Town of Southampton Resident Advisory Board (RAB), for the Section 8 Housing Choice Voucher Program was held on July 16th at 2pm. at Town Hall.

Nina J. Greenfield Stewart and Andrea Hunt explained various aspects of the program, including portability. The tenants in attendance expressed concern about the following:

- 1) Cuts in Section 8 funding that would results in increases in their rent portion;
- 2) Fear of having to move if changes occurred.
- 3) Opening of the Section 8 waiting list as to timing and funding.

It was explained that there are concerns about the funding stream but tenants currently on the program would not lose their Section 8. It is possible in the future they might have to pay more not only based on their increased income, if any, but if we had to reduce the payment standard due to changes in the market. It was explained that this could not be determined at this time as the TOS has to keep on viewing its funding from HUD, number of units under lease and rents landlords were charging. It was also explained the all rent increases to landlords were being carefully evaluated with the inspector having considerable input.

Opening list right now presents a problem as the TOS just lost one full-time staff person who handled over 160 cases. Though there are people filling in, a new full-time person has to be hired from the civil service list and that takes a little time. Unfortunately, the TOS did not have much notice the staff person was resigning. However, there would be ample public notice, including flyers and mailing when the list was going to open again.

Generally, the tenants said they were deeply appreciative of the program and felt lucky to have really fine rental units and landlords who kept up the property. The concerns were about losing the program because of budgetary/funding cuts.

There was also a discussion about the growing role of the Southampton Town Housing Authority (TOSHA) in the Town's affordable housing administration including the future possibility of said TOSHA becoming the administrator for the Section 8 program. Their offices are in adjacent space in Town Hall and people felt comfortable that there still would be a local presence and connection to the Town if this happens.

It was explained that the entire 5 Year Plan, including the Admin Plan. Would be available for review in August, September and early October and they were free to review it and offer comments then as well.

The meeting was adjourned at 3 PM.

Resident Advisory Board Comments included in the Plan

- 1) Discussion of funding concerns;
- 2) Future role of the Housing Authority;
- 3) Concerns about expanding both rental and home ownership opportunities in the Town.

SECTION 8 RENTAL ASSISTANCE PROGRAM
Town of Southampton
COMPREHENSIVE ADMINISTRATIVE PLAN

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INTRODUCTION:

The Town of Southampton Community Development Department (hereafter the TOS) administers the Section 8 Rental Assistance Program for very low-income eligible applicants in the Town. The Section 8 Rental Assistance Program is also known as the Tenant Based Section 8 Program and most recently, the Housing Choice Voucher Program (HCV).

The Town of Southampton has assigned the responsibility of administering the Section 8 Housing Choice Voucher Program (HCV) to the Community Development Department. This department works closely with other Section 8 PHAs through the Association of Long Island Housing Agencies (ALIHA), consisting of all the agencies that administer the Section 8 Housing Choice Voucher program in Nassau and Suffolk Counties in the State of New York. There is a coordinated effort to work on specific aspects of the Section 8 program including but not limited to utility schedules for the region, staff training, and serving as hearing officers for a PHA when an informal hearing is required. The communication and coordination with other Section 8 administrators is essential and assists the Town of Southampton in interpreting regulations and with ongoing program implementation. In the last year the Town has made great effort to review its own housing programs, encouraged coordination of various housing components and initiated a re-structuring to facilitate administration of both its rental and homeownership programs. It is the goal therefore to improve overall strategy in creating and maintaining affordable housing in the Town, assuring that those most in need will have an opportunity to apply for and locate decent and safe housing within the Town. The Town is also in the process in developing strategies that involve its Housing Authority (the Town of Southampton Housing Authority or TOSHA), which already utilizes Section 8 funding through a project it owns. That rental project received mortgage financing through Rural Development of the USDA.

The development of an overall strategy is critical to the Town's affordability goals. A key component of any plan is to assure that those who live and/or work in the Town, are offered year-round rental housing choices. This is particularly important to those whose incomes often severely restrict their choices. Of course, families at 30% of median income or less, on fixed incomes and /or the disabled have been severely impacted by high-end market real estate development in a resort area such as Southampton. Budget priorities on all levels of government as well as community preferences for home ownership have limited the development of rental housing opportunities.

B. GENERAL APPROACH, GOALS & STRATEGY

The TOS has budget authority from HUD, (through Annual Contributions Contracts or ACCs), for three hundred and twenty-one (321) housing choice vouchers. The HCV program operates under "general policies" in conformance with HUD regulations that are established by the Town Board through a public process.

The staff carries out the day to day program administration at an office located in Town Hall. Consulting services are provided by an inspector and other consultants are hired to provide essential training components. The Town also provides the ongoing services of the comptroller's office for financial management. Procurement is monitored through the Town's General Services office. The General Services Office has provided supervision of the department recently as part of a transition plan focusing on the affordable housing components in the Town. The staff works closely with other departments in the Town to insure consistency and access to necessary services. This is also true of the Suffolk County Department of Social Services, community agencies and non-profit organizations that offer resources such as advocacy and supportive services for the disabled and seniors, fair housing consultation, translating and interpreting, as well as, development of housing opportunities.

The Town works closely with the Suffolk County Community Development Consortium staff to assure consistency with County Consortium Housing Plans and Goals. Housing needs in the

County continue to demonstrate a great need for rental housing for senior citizens and disabled residents at lower incomes. Networking with local and County groups assisting these families assures that there is an adequate local pool of residents who apply for housing in the Town of Southampton.

C. INTAKE FUNCTIONS

The Town is committed to outreach to potentially eligible families and interested landlords/owners. The belief is that multifaceted outreach activities are essential to the success of the Section 8 program. Through local media, outreach to community groups and potential applicants information is provided about the Section 8 program that will reach those most in need of rental assistance. Landlords who are unfamiliar with the benefits of the program will receive information as to the stability of long-term tenants, adjusting rent portions as the tenant's income changes, monitoring housing quality and other aspects of the program.

(1) Outreach and Information

a- **To Applicants** - The staff will make a special effort to attract extremely low income families within the community. Information targeted at applicants whose income is 30% of median income or less and families of very low-income will be sent to local community organizations that deal with a low-income population. Newspaper ads, newspaper articles and posters will be utilized. Various printed material will be available including a general information brochure describing mechanisms of the program. Timely notices will be sent church and community groups when the waiting list is opened. The staff will contact the broadest spectrum of potential tenants to explain and promote involvement in the program. When the waiting list is re-opened, application forms will be available in the office, by mail, and sent to community agencies.

b- **To Owners** - The staff will be responsible for making and continuing contact with owners and managers of rental units to promote understanding of, and involvement in, the Section 8 Voucher

Program. Special points to be emphasized are: rent reasonableness, the payment standard, utility allowances, and right to screen tenants, lease approval, inspections, terminations and evictions. Section 8 staff will be in contact with managers and owners and will encourage members of the real estate community to cooperate with and participate in the program. Attempts will be made to contact landlords and tenants that are predominately outside areas of low income and minority concentrations.

(2) Equal Opportunity- Special Outreach Efforts

a-All notices sent to prospective applicants to advise them of the program and program guidelines will comply with fair housing and equal opportunity requirements of the Town of Southampton, Suffolk County, New York State and the United States Department of Housing and Urban Development.

b- Outreach efforts will target those least likely to apply such as minority groups, the elderly and disabled. A list of groups and agencies throughout the Town of Southampton who will receive “special notices” is included as an appendix to this plan.

c- Outreach efforts will also target extremely low income individuals whose income is 30% of median income or less.

d- Outreach efforts will also encourage families to look for housing outside areas of high minority concentration and high poverty, not only throughout the Town but in other jurisdictions. Portability will be stressed as an effective tool.

(3) When the Waiting List is Closed

Families who inquire about the program will be given a brief summary which will include the income limits, eligibility requirements, maximum rent a family may pay and screening procedures. The family will be informed that it may select a single family house, apartment or townhouse and that they must find their own housing unit. Those needing assistance will be offered translating/interpreting services, upon request as per the LEP Plan. Applicants will be told that the rental units leased on the program must meet the Town of Southampton rental permit requirements.

The TOS will open up its waiting list and provide applications when housing vouchers are available and the current list is almost depleted. However, if HUD income targeting requirements, for extremely low-income applicants cannot be met with the existing waiting list, the list may be re-opened sooner to meet the mandate that requires 75% of new admissions to be at 30% of median income or less.

(4) Re-Opening and Closing the Waiting List

A single waiting list will be kept for the HCV Program. When the TSH reopens its entire waiting list, or any part of its waiting list, public notice that families may apply for assistance will be placed in the newspaper used by the Town of Southampton for official notices, and any other weekly newspapers of general circulation. A calling (a/ka/ mailing list or inquiry list) will be kept in the office when prospective applicants make an inquiry and the waiting list is closed. The family will be asked for contact information so that they may receive an application when the list is open again. They are asked to send any changes in address (contact information) **in writing** to assure that they receive an application when they become available.

The public notice will state where and when to apply and any limitations as to who may apply for available slots in the program. The notice will state the opening and closing date for accepting applications. The public notice, however, will not be used as the primary vehicle to attract special groups such as the elderly, disabled or minorities since this can be better accomplished by dealing with those agencies and advocates that work with these groups. Posted notices will be

placed in strategic locations throughout the Town. Mailings of a flyer will be made to key community groups serving lower income residents.

Applications will be available at the office and by mail during the period specified in the notices. They may be returned the same way. The mailed applications must be postmarked no later than the last date the list is opened. If delivered in person, the person will be asked to sign a sheet confirming hand delivery of their application. No faxed applications will be accepted. If a family submits more than one application, the one that has the latest time and date stamp will be counted. If a person has a disability that may restrict their ability to deliver or mail the application in a timely manner, special circumstances will be reviewed carefully on a case by case basis.

Generally, staff will not give out waiting list numbers or give time estimates as to when a family might receive rental assistance. Experience has shown, over the years that this information is often taken out of context and/or misinterpreted. However, as the staff moves down the waiting list they may have a sense of timing they are able to share.

The staff will purge the waiting list, at least annually, and more frequently if needed. This will assure that information will be kept current and the staff will have an updated picture as to the number of families on the waiting list who are still interested, if their circumstances have changed and they remain provisionally eligible based on their application.

D. SCREENING OF PARTICIPANTS AND DETERMINING ELIGIBILITY OF APPLICANTS

(1). General

Once the notice of the opening date for applications is given and the effective date arrives, staff will process the information and set up a new waiting list based on the time and date of

application, residency and other preferences. The staff will determine “potential” eligibility of each applicant on the basis of income and family composition reported on the application. The staff will utilize available Section 8 computer software and available government data bases to assist in this process. This will both save time for the staff and increase accuracy. All applicants will be duly notified by mail that they are or are not provisionally eligible. If there is information that is incomplete, unclear or contradictory, the applicant will be sent a letter explaining the problem. They will be given ten (10) days from the date the letter was sent, to respond, in writing, to the inquiry. If they do not respond in a timely manner a determination will be made as to their place on the waiting list or their eligibility or ineligibility based on the available information.

If an applicant is provisionally eligible, the staff will prepare a file. When their position on the waiting list is such that it is time to be called in for an interview the applicant will be contacted in writing. The applicant will be asked to come in for a personal interview and present documents as evidence of their family status, citizenship, income, residency and other preference(s) and financial need (income). Following review of their documents, if they are determined to be eligible, the applicant will be issued a Housing Choice Voucher and receive a briefing packet as well as a verbal orientation as to the program guidelines. There will be ample time for questions and answers regarding the intricacies of the program. They will be provided with other information consistent with the TOS’s LEP Plan (interpreting and translation services) and as well information about VAWA (Violence Against Women Act-Public Housing Law 109-162).

All family members eighteen (18) and over must sign release of information forms as required and provide documentation requested by the TOS staff. Failure to do so will make them ineligible to remain in the rental unit and affect the HCV size the family is entitled to.

In all its screening and intake procedures the staff will make reasonable accommodation, if requested, to persons with disabilities. The staff cannot make an inquiry into the specific disability unless the applicant/tenant makes a request verbally or in writing for assistance as a reasonable accommodation for a specific disability.

a- **Verification of Gross Family Income** - Appropriate documentation of income must be provided by the applicant. Documentation may include tax returns, W-2 forms; records provided by Social Security, Social Services and other sources as appropriate will be reviewed by staff. The applicant will sign release of information forms so third party verification can be obtained. The applicant will sign a sworn statement that the information presented for eligibility determination is correct and complete.

If the TOS cannot obtain third party verification in writing when requested, alternative means will be utilized to secure necessary information. As alternatives the TSH may accept sworn statements, pay stubs and phone verification from the employer or outside agency. Two of the three alternative forms of verification will be accepted. This will be determined on a case by case basis. HUD's EIV system will also be utilized.

b-Allowances - A determination of allowances, if any, will be made in accordance with Federal Regulations regarding medical expenses, childcare or handicap care expenses, etc. This includes medical expenses and medically related expenses as to the type and description specified by HUD regulations and that are anticipated (projected) to be incurred during the twelve (12) months following the certification/recertification and which are not covered by an outside source such as insurance.*

1- Medical Expenses – 24CFR 5.611 (a) (3) (i) – Disabled and/or Elderly families are entitled to a deduction for unreimbursed medical expenses. The allowable medical expense is that portion that exceeds three percent of annual income. Medical expense deduction is permitted only for households in which the head or spouse is at least sixty-two (62) years of age or disabled. If the household is eligible for the medical expense deduction, the medical expenses of all family members may be counted. Medical bills from previous years that were recently paid in full during the current year will not be allowed. With increasing privacy law requirements, the TOS has had difficulty verifying unreimbursed medical expenses. The TOS will continue to make

every effort to obtain third party verification of unreimbursed medical expenses. In the event that the health care provider does not respond, the TOS will review tenant provided documents. The TOS will also request a notarized statement from the participant indicating the projected medical expense.

- 2- Childcare Expenses** – When a participant submits childcare expenses in excess of 25% of the family's gross income the TOS will require additional documentation to be reviewed. Childcare expenses may only be taken that enable the person requesting the allowance to work, seek work or attend a certificate or degree granting vocational or educational program.

*All other allowances that qualify as bona fide deductions under the Code of Federal Regulations as deductions from gross tenant's income will require 3rd party verification and will be based on the calculation criteria and/or formula specified by HUD.

c-Calculation of Total Tenant Payment (TTP) and Total Family Contribution (TFC) - The required TTP and TFC for each applicant will be calculated in accordance with Federal Regulations based on family size and (a) and (b).

d- Citizenship/ Immigration Certification- The tenant must certify that they have valid and current immigration status and provide documentation of such. (Federal data bases will be used as well).

e- Additional Releases- As permitted by Section 8 regulations and based on family history or addition of a family member to the household, requests for an additional release from the applicant/participant relating to the criminal history of that family member may be required.

f- Other Regulatory or Discretionary Documentation- Such other forms as required by Federal Regulations as well as other documents that TOS requires, if there is confusion or a discrepancy in the documentation provided.

(2) Definition of Family

Family Definition- Eligible families and individuals that may be placed on the waiting list, in addition to meeting all the other eligibility criteria **must be:**

- a- A disabled person or family whose head or spouse or sole member is disabled;
- b- A displaced person or family;
- c- Homeless person or family;
- d- An elderly person or family whose head or spouse or sole member is at least 62 years of age;
- e- A multi-person elderly or disabled family, or one or more disabled persons, living with one or more live-in aides;
- f- Two or more persons living as a family, irrespective of age;
- g- A single person who is an expectant mother or in the process of securing custody of a minor;
- h- A single person of any age.

Addition of family members to the household that would change the voucher size the family would be entitled to, and therefore the subsidy amount available, must be pre-approved by the TOS before anyone is added to the household.

(3) Preferences for the Order of Issuance of Housing Vouchers

All applications will be time and date stamped as they are received. Those with the earliest time and date stamp in each category will receive a preference. A local preference (residency) is given to families where the head of household lives or works full time in the Town of Southampton. In determining eligibility and setting preferences applicants will be served in the following order:

- 1) A family where a family member is elderly and/or disabled, who are Southampton residents, and whose income is at 30% of median income or less, for their family size, as set for the area by HUD guidelines;
- 2) A family where a family member is elderly and/or disabled, who are Southampton residents and whose income is above 30% of the median income, for their family size, as set for the area by HUD guidelines;
- 3) Southampton residents who are not elderly or disabled and whose income is at 30 % of median income or less, for their family size, as set for the area by HUD guidelines;
- 4) Southampton residents who are not elderly or disabled and whose income is over 30% of the median income, for their family size, as set for the area by HUD guidelines;
- 5) A family that has been displaced from Southampton and wishes to return. (This is a family where the head of household lived or worked in Southampton and can document that the cause of displacement was either: natural disaster, related to a disability , or caused by an eligible government action);
- 6) Other qualified applicants.

The TOS will require documentation of a local preference for the purpose of giving applicants on the waiting list a preference (as stated above). If a person is living in temporary or emergency housing in Southampton, but was not domiciled in the Town of Southampton prior to occupying or being placed in temporary or emergency housing, then they do not receive a local preference under this Plan.

Non-residents families who are determined eligible must reside in the Town of Southampton at least one year before being approved for lease-up in another jurisdiction.

The TOS may re-open the waiting list when it has exhausted families who have a preference in order to serve those that have the greatest need. HUD mandated income targeting requirements state that 75 % of new admissions must be extremely low-income (30 % of median income). Every effort will be made as to outreach to have a large pool of applicants at or below these income guidelines.

The staff will monitor all applicants' records on a periodic basis to determine the types of households applying with particular attention to family income. The staff will also update applications on the waiting list, upon receiving written notice of a change of circumstances from the applicant, therefore identifying those families whose changed situation may entitle them to assistance sooner than anticipated. Also, this information is useful for identifying future needs and measuring progress towards attracting applicants from minority groups least likely to apply for assistance. If needed to meet these goals the staff will initiate additional appropriate outreach activities.

(4) Determining Eligibility

The staff will review all applications for the waiting list. The applications will be time and date stamped as to the order of receipt. Their place on the waiting list will be determined by the order of receipt within the specified time frame for accepting applications, local preference in the Town of Southampton and other criteria specified in this Plan. Income and status as to disability, age (senior citizen) and whether a family has been displaced will be determined. The applicant must meet the criteria as a family, provide the required documentation in a timely manner and cooperate with TOS staff in signing release of information forms and fully disclosing all income, assets and family members to reside in the household.

The names and addresses as well as other information taken from the application will be entered on the computer and the waiting list will be set-up based on the aforementioned factors specified. The applicant may be denied eligibility based on information they provided on the application, after information is provided to the staff at the interview, when all the documentation is received or thereafter prior to lease-up. If the application is unclear or incomplete the staff will notify the applicant and give them a specified time period from the date of the notice to respond with a clarification.

(5). Denying Eligibility

If the applicant is denied admission he/she will be notified in writing. The notice will give a statement of the reasons for the decision and also state whether the applicant may request an informal review of the decision in writing within a specified time period.

The grounds for denying eligibility are as follows:

- (a) Over the specified income guidelines;
- (b) Currently owes rent monies or other amounts to TOS or another PHA/agency in connection with Section 8 or other public housing assistance;
- (c) Has previously violated family obligations under the Section 8 program;
- (d) Has engaged in felonious drug-related criminal activity or other felonious criminal activity as defined by HUD;
- (e) Breached an agreement to repay amount to the TOS or another housing agency;
- (f) Has committed fraud in connection with any federal housing program;
- (g) Does not have legal immigration status in the United States;
- (h) Does not provide sufficient information to certify income or does not cooperate with the intake staff sufficiently to determine income;
- (i) Commits fraud on the initial application;
- (j) Does not supply sufficient information, in a timely manner, to certify income or cooperate with the staff during the intake process to supply information required to certify the family.

(6). Briefing Applicants

The staff briefs all applicants who have passed the initial screening at mutually convenient times as their name comes up on the waiting list. The briefing consists of a thorough explanation of the HCV program and will always culminate in a question and answer period to assure that all participants understand their responsibilities. The briefing emphasizes how to find a suitable unit; housing conditions and inspections; rental units, recognizing discrimination and the various responsibilities of tenants and landlords. A HCV will then be issued as soon as one is available.

The staff provides a voucher- holder packet along with the housing voucher. Particular emphasis will be placed on the requirement of reporting changes in income and family composition, in writing immediately, as specified on the Personal Declaration form and other documents that the applicant signs. Information relating to VAWA will also be included. Various forms (such as TIF) and verifications will be signed and criminal background checks will be sent to appropriate authorities. Data bases for sex offenders and also for immigration status will be checked.

The applicants and family members over eighteen (18) years of age will be required to provide the TOS with photographic identification, such as a driver's license or a non-driver photo identification which can be obtained at the New York State Department of Motor Vehicles. Other photographic identification is acceptable, but it must include the name and address of the person whose eligibility is being determined as well as the adult family members living in the assisted household.

If a disabled applicant is unable to attend the briefing session at the scheduled location a reasonable accommodation will be made to facilitate the interview at another location including the applicant's home, if necessary. The Town office however, is fully accessible. In accordance with the agency's LEP Plan, staff will work with families when indicated to provide translating or interpreting service.

The staff will meet with landlords/owners to explain the program and to assist families in obtaining approval of leases. The staff also provides special assistance to families that may encounter particular problems in finding suitable housing because of a disability or other difficulties, such as discrimination or social problems. Such assistance will also include referrals to social agencies. Pamphlets have been prepared and will be made available to landlords and tenants summarizing how the Housing Choice Voucher program works.

(7).Voucher Program: Calculation of Total Tenant Payment and Total

Family Contribution

The TOS determines the amount of subsidy a family will receive. Generally, the subsidy will be the applicable payment standard minus 30% of the family's monthly adjusted income. Once the maximum and minimum subsidies are established, the family can look for housing. The result may be that the family pays more or less than 30% of its monthly adjusted income for rent and utilities.

The Total Tenant Payment (TTP) is 30 % of the tenant's adjusted monthly income plus the applicable utility allowance. The Total Family Contribution (TFC) will be the same as the TTP unless the amount of the actual contract rent for the unit plus the utility allowance, known as the "gross rent" is more than the applicable payment standard. If the gross rent is higher than the payment standard then the tenant will be paying additional monies. Federal Regulations put a cap on the amount of additional monies a new participant to the program is permitted to pay as a percentage of their income. Reasonable accommodation, within regulatory requirements, will be considered on a case by case basis as to applicable contract rent and payment standard calculations.

(8) Minimum Tenant Rent

The TOS has adopted a minimum rent policy of \$50.00. The minimum rent is a minimum TTP of \$50.00 and becomes part of the TTP formula. A family whose TTP has been set at the minimum rent may receive a utility reimbursement. The TOS will grant exemptions from the minimum rent requirement to any family if it is determined that the family is unable to pay the amount due to a temporary and severe financial hardship.

(9) Voucher Program: Payment Standard

The payment standard is set by the TSH, by submission to and approval of a budget to HUD. Within budgetary considerations, the payment standard reflects the rental market within the community. As per HUD regulations, the payment standard will be reviewed and adjusted yearly

when the new FMRs are published in the Federal Register. The payment standard may be higher than the FMRs that have been published or may be lower due to the housing market and/or financial considerations. The rent burden to tenants will also be a consideration. If the TOS, determines there are exceptional circumstances during the course of the year that the Plan is in effect, they may, provide an amendment to the Plan to change the payment standard.

The procedure for calculation of the subsidy is as follows: The maximum housing voucher subsidy a PHA may pay is the applicable payment standard minus 30% of the family's monthly adjusted income. The lesser of the gross rent (contract rent plus the utility schedule based on the utilities the tenant is responsible for) or the applicable payment standard will be used to determine the subsidy a family is entitled to.

Example 1: The 2 bedroom payment standard is \$1,529.00 per month. The contract rent is \$1275 per month; the utility allowance for the utilities the tenant is responsible for is \$125.00 per month. The gross rent is therefore \$1,400.00 per month. This is \$129.00 lower than the payment standard. The maximum rental subsidy is based on the gross rent as the lower of the two. If 30 % of the tenant's monthly adjusted income entitles them to pay \$700.00 per month, than the subsidy provided will be \$700.00.

Example 2: If a family selects a unit for which the rent and utilities are more than the applicable payment standard, the family will pay more than 30% of their monthly adjusted income. In this case the TFC will be higher than the TTP:

The two (2) bedroom payment standard is \$1,529.00 per month. The contract rent on the unit is \$1,440 per month. The utility allowance is \$125.00 for the utilities that the tenant pays. This is \$36.00 higher than the payment standard of \$1,529.00. If 30% of the tenant's monthly adjusted income entitles them to pay \$700.00, the maximum subsidy based on the payment standard is \$829.00. The tenant therefore will make up the difference and pay the additional \$36.00 to total the contract rent. ($\$1400.00 + \$125.00 = \$1565.00$ minus \$1529 for the maximum payment standard = \$36.00)

The TOS, may, if needed, make additional adjustments to the payment standard if financial considerations are evaluated and warrant an adjustment during the calendar year. Such changes

will be submitted to HUD. There will be one payment standard for each bedroom size. The HCV size (bedroom size) is based on the PHA's occupancy standards. (See occupancy standards)

As of January 1, 2010, the intent is to set the payment standard at 100%, of the most recently published FMRs in the Federal Register.* (*See appendices for “Payment Standard” calculations as of current Fair Market Rents per bedroom size). The following considerations will be given when assessing whether a particular rent for a unit is “rent reasonable”:

- a) Payment standards are subject to change based on changes in the housing market in the Town of Southampton.
- b) Great care will be given to assess the rents in certain areas of the Town where approving the payment standard is not rent reasonable as to the rents in a particular area and/ or would increase minority concentration. Part of this evaluation is whether “high rents” would artificially inflate the market in that area so as to impact negatively on the non-subsidized tenant population;
- c) Other considerations are the lease-up rate, the rent burden to the participants and the funds available to lease-up (provide subsidy for) the units.

As per HUD regulations, a reasonable accommodation will be made to families with a disabled person. Consideration will be given to the voucher size/bedroom size that they are entitled to and the amenities provided for the rental unit. A payment standard up to 120% of the FMR may be considered in these cases. For a rental unit larger than four (4) bedrooms, 5% of the specific housing voucher size is added to the payment standard.

The annual FMRs are not published until after the Administrative Plan is set yearly for public hearing. If the new FMRs present a problem as to budgetary considerations, the TOS will immediately evaluate the proposed payment standard and adjust the intended payment standard PRIOR to the end of the calendar year.

E. ISSUANCE OF VOUCHERS

After an application is reviewed by the staff and if the family is found eligible under this Administrative Plan they will be issued a housing choice voucher. The housing choice voucher is good for sixty (60) days. The applicant may choose a smaller unit than the bedroom size allocated as long as there are no more than two (2) persons living in one designated sleeping area. Applicants may also choose larger units but are limited to the subsidy based on the payment standard for their family size. However, based on the utilities the family is responsible and availability of smaller units, the TOS may determine not to permit a larger unit than their voucher size to be rented, if they determine the family will be “over-housed”. If the family has a disabled member a reasonable accommodation will be made considering a larger size unit.

Issuance of housing vouchers for new applicants is based on availability of housing choice vouchers allocated in the ACC approved by HUD, as well as subsidy and budgetary projections.

(1). Housing Occupancy Standard- Size of the Voucher

The housing choice vouchers are issued based on bedroom size the new participant will be eligible for. The bedroom size is established based on the following occupancy standards:

- A- Non spousal (not couples) adults are not placed in the same bedroom;
- b- Minors over five (5) years of age, of different sex, are not placed in the same bedroom;
- c- Two minors of the same sex are placed in the same bedroom;
- d- A minor disabled child is placed in his/her own bedroom;
- e- Documented expectant mothers expecting their first child are eligible for two bedrooms;
- f- Elderly/non-elderly couples with medical documentation are given two bedrooms;
- g- Single persons who are neither age sixty-two (62) or older or disabled are always assigned one bedroom or smaller units (except for (e) above).

Exceptions to this category may be made by the program supervisor at his/her sole discretion and based on disparity in age of the same sex minors or unusual family circumstances.

Change in voucher size: If family's situation changes and they request an increase in voucher size due to an additional person or persons added to the family unit, the TOS will increase the voucher size only due to birth, adoption, marriage or court ordered custody.

(2). Extensions of Vouchers When Applicant is Looking for Housing

If applicants do not find suitable units within sixty days (60), the staff will determine whether to extend the housing voucher upon written request. If they do not locate housing within the time allotted the staff determines whether to extend the voucher consistent with the guidelines of this Administrative Plan. No voucher will be extended for more than an additional sixty days (60). As a reasonable accommodation, a disabled person is allowed a total of one hundred and twenty (120) days without the necessity of providing additional documentation requesting an extension.

After thirty (30) days the TOS will attempt to contact the applicant, if the applicant has not contacted the office during the interim, to see if the applicant needs additional assistance in locating housing.

Grounds for extensions are as follows:

- a- Illness of applicant or family member;
- b- Death in the family;
- c- Documented housing discrimination;
- d- Disability of applicant;
- e- Written documentation that the applicant has earnestly sought housing thus providing names and addresses of landlords contacted and they reason applicant was unable to secure housing.

The individual voucher holder has the responsibility of providing the TOS written documentation prior to the expiration of the housing voucher. If housing discrimination is alleged the staff will report this in writing to the program supervisor. The program supervisor will refer the applicant to the appropriate Fair Housing agency.

(3). Suspensions of Vouchers When Applicant is Looking for Housing

Once an applicant has located a rental unit and has submitted a Request for Approval of Tenancy Form the voucher may be suspended for up to thirty (30) days if the unit is not yet vacant or repairs need to be made. The decision to suspend the time period will be based on advice from the inspector as to the condition of the unit.

No more than two (2) suspensions at any one time will be granted to an applicant by TOS unless there are extenuating circumstances warranting the suspension. The program supervisor will make the final decision as to granting suspensions and the voucher holder (applicant) will be notified in writing as to the decision.

F. HOUSING QUALITY STANDARDS (HQS) INSPECTIONS

Once a housing voucher holder finds a suitable unit, the family and landlord will inspect it for compliance with the standards in the Housing Inspection Booklet provided by HUD. If the applicant and the landlord believe that the unit qualifies for Section 8 assistance based on the rent charged, the condition of the unit and the timing of the availability for rental, then the landlord fills out the Request for Approval of Tenancy (formerly called Request for Lease Approval) that TOS has provided to the tenant. The Housing Inspector will inspect the unit within fifteen (15) days after receiving the completed form, to the extent practicable. Delays will occur if the rental unit is not available for inspection when the Request for Approval of Tenancy is submitted.

HUD requires that the basis for making a determination that a rental unit is safe and sanitary to be (HQS) Housing Quality Standards. In addition to passing the Section 8

inspection, the unit **must** comply with all applicable regulations of the Town of Southampton, County of Suffolk and the State of New York. This includes obtaining a rental permit required by the Town of Southampton for all rental units, as of January 2008. A unit will not be approved for lease-up without said rental permit, if required by the Town. A unit will not remain on the program if the landlord/owner does not comply with the rental permit requirements of the jurisdiction.

The staff explains the inspection process to the landlord/owner so that he/she will allow time for the inspection to be completed. If the unit fails inspection, the owner will be notified by the staff and a re-inspection date scheduled if desired. The staff will notify the family by telephone and/or mail of the unit's failure and the date of re-inspection. The staff makes the final determination regarding the acceptability of the unit. The landlord must also submit proof of ownership, (e.g., tax bill or deed) prior to approval for lease-up on the program.

From time to time, as a measure of assuring the general housing quality standards of the rental units on the program, the TOS will conduct inspections on a random basis as per HUD requirements. Participants will be given ample notice in order to schedule these inspections at the convenience of the tenant.

The staff maintains records of all inspections, and between ten (10) months and eleven (11) months from the date of occupancy, the staff will re-inspect those units. For those units which fail inspection, the landlords will be given a set time period to make the necessary repairs, depending on the nature and extent of the required repairs. All actions taken by the TOS will comply with New York State laws.

Whether the TOS chooses to make random inspections, follows up on code violation complaints either from the landlord or the tenant, or is simply has performed the yearly scheduled inspections, the program supervisor may choose several options to verify inspections problems have been corrected in a timely manner. Though serious and /or repeated HQS deficiencies may necessitate a reinspection in a specific time period, the program director may at

his/her discretion accept a signed owner's and/or tenant's certification that the specific deficiency has been corrected and follow-up with an on-site inspection at a later date. The factors to be considered, in consultation with the Inspector, are: seriousness of the deficiency, number of deficiencies, experience (history) with the owner and the property and timing of the next scheduled inspection. Misrepresentation of the conditions on a certification form will be taken seriously and may not only lead to abatement of the rent but also termination of the Housing Assistance Payments Contract. In the case of misrepresentation by the tenant (participant), this will be considered a violation of their family obligations.

Failure to Correct Deficiencies: If the repairs have not been completed by the specified time, the housing subsidy can be withheld and/or abated. Then as the final action, the HAP contract can be terminated by the program supervisor as seems reasonable under the circumstances. The inspector will always be involved in monitoring the case and reporting to the program supervisor. The action taken and timing will depend on the seriousness of the violations, the action or inaction by the landlord, if the tenant contributed to the problem and/or how much time has elapsed since the landlord was made aware of the situation.. If the landlord refuses to make the repairs the TOS may elect to terminate the Housing Assistance Payments Contract within a timeframe that protects the family

The tenant will be notified that they are required to relocate if the landlord/owner fails to correct the violations of HQS. If the family's health and safety are threatened and the landlord has not responded in a manner satisfactory to the inspector and program supervisor, the time period given before terminating the HAP contract may be less than thirty (30) days. The time period given to the landlord to correct the violations depends on the seriousness of the violation(s).

Generally a landlord will be given thirty (30) days to correct the violations before rent is abated. However, in an emergency situation, requiring twenty-four (24) hours notice to make repairs necessitates the shorter time period for the necessary response. The landlord will be contacted by phone, fax (if available) and mail. All subsidy payments held or abated due to non-

compliance with HQS, within the time table specified will be voided if printed or cancelled if held in the computer.

G. LEASE APPROVAL, HOUSING ASSISTANCE PAYMENTS CONTRACT (HAP) EXECUTION AND INITIAL PAYMENT TO THE OWNER

Lease-ups are approved effective the 1st of the month. However, on a case by case basis, the program supervisor may approve lease-ups effective the fifteenth (15th) of the month. Once (and if) approved the least must be effective for at least twelve and a half (12 ½) months. The initial HAP contract must also be effective for the same twelve and a half (12 ½) month period.

A lease form approved by HUD and the TOS is used. If a landlord want his/her lease form used, the landlord must submit said lease for prior approval. Said lease if approved, will be added to the HUD forms required for lease-up. If there is a conflict the HUD forms control. The lease agreement is reviewed and approved once the unit passes inspection and is found to have a reasonable rent. The amount of the housing assistance payment will be entered on the computer for payments to the landlord/owner The staff prepares the HAP Contract and all necessary documents. The staff re-verifies their computations.

Reasonableness of the rent is determined, prior to approval, by comparing the individual unit rents to comparable units in the area, considering the location and the amenities offered. Rental units subsidized by a county, state or federal program cannot be used as comparables for rent reasonableness.

The landlord must provide satisfactory proof of ownership. As the Shinnecock Nation Indian Reservation is located within the area of Town of Southampton arrangement will be made with tribal trustees for the appropriate verification. Rental in mobile homes (a/k/a manufactured home) parks will also require unique documentation. All parties having title to the property to be leased, must sign, or as an alternative provide a notarized statement authorizing the other party or an agent to sign the lease and/or receive payment, and/or act on their behalf.

Preferably the landlord/owner signs the necessary documents first, then the tenant. The Lease with the Tenancy Addendum attached is signed by the landlord and the tenant. The HAP Contract is between the landlord/owner and the TOS with the supervisor signing for the TOS. The initial rental subsidy payment is released to the new landlord when all required documents are signed. The landlord/owner, tenant and the TOS each keep an original of the documents that are signed.

The security deposit charged to the tenant should not be paid until after the signing of the documents. The security deposit paid should be no more than the average year-round rental security for a similar rental unit.

H. ON-GOING FUNCTIONS

(1). Payments to Owners

The TOS mails an initial subsidy check to the landlord/owner in the amount determined as the Housing Assistance Payment (HAP). This will occur monthly thereafter for the duration of the lease. The staff will review payment procedures and monthly amounts to make certain that owners are receiving their checks for the proper amount at the appropriate time. Checks are authorized and signed, using accounting, audit and control standards required by HUD.

(2). Yearly and Interim Recertification of Incomes and Asset Policy

- a- Yearly and Interim Recertification of Incomes** - During the tenth (10) or eleventh (11) month of the lease, staff recertifies incomes of families participating in the Section 8 Program. Families will be notified and will be asked to complete recertification forms. This procedure occurs annually for all households, including elderly households. The staff records any changes in family composition, household income and makes appropriate changes in amending the HAP Contract and facilitating the execution of the

new lease and the Tenancy Addendum. The TOS will follow the same methods of verifying family income as they do for new participants.

Interim recertifications will be done if there is a change in family composition, if there is a decrease or increase in income, or if there is a significant change in deductions or assets. Tenants sign a form acknowledging it is their responsibility to report these changes in writing immediately to the TOS and failure to do so can result in termination of their participation in the program. Interim recertifications will be completed within a reasonable time period and after third (3rd) party verifications, or alternative documentation as specified in the intake procedures for certification, are received.

If a participant provides a Request for Tenancy Approval to the staff, at a time other than their regularly scheduled recertification, the TSH may at its' discretion, ask the participant family to fill out form certifying the continued accuracy of the most recent recertification as to amount of income, sources of income, assets and family composition. If the circumstances have not changed since the last recertification the TOS may not require any further certification of income at that point. If there are any changes however, then the TOS staff will recertify the participant family requiring appropriate third party verification. This must be done prior to the approval of the new tenancy or execution of the HAP contract.

The staff will make reasonable accommodation(s) to meet with participants at alternative locations if their disability hinders them from coming to the office at normally scheduled times. Every effort is made to access supportive services for those participants who find it difficult to meet their family obligations without assistance.

b- Asset Policy - A participant is required to complete the Tenant Information Form (TIF) form and must fully report ALL information requested. In order to calculate a participant's gross family income from all sources, assets of various types must be reported, calculated by the TOS staff and the required value calculation is included as income to the family. In all cases, third party verification is preferred and the TOS will attempt to verify assets by these means.

Other forms of verification will be used, if possible, utilizing two (2) forms of alternative verification when third party is not available.

According to HUD, if the asset is worth less than \$5000 the anticipated income is used to calculate the net value of the asset. The cost of liquidating an asset will be deducted to determine the net income from that asset in the next twelve (12) months. Bank charges, annual fees for an IRA, penalties for early withdrawal of funds, management or transaction fees for investments and the cost of maintaining and managing rental property are used in the calculations (see below for real property information) .

If the asset is valued over \$5,000 then the HUD ‘set formulas’ (percentages of interest used for calculations and are updated yearly by HUD), to calculate what should be considered income (value) from an asset, are used. This is called an imputed income calculation. Many assets are not liquid, and may be difficult to determine, but once a value is established then the formula can be applied to any asset.

Personal property is not considered an asset for purpose of income calculation. Household furnishings and personal possessions are not considered assets for income consideration unless the person’s property is used for investment purposes.

The TOS will not count certain assets as income: pensions held before pay outs, life insurance (whole or term) and other such assets, meant for retirement or a death benefit to beneficiaries are in this category. This will apply only if the pension or life insurance policy have not been cashed in and/or are not being paid out (at retirement or before). However, if the pension or life insurance policies have been liquidated for cash value (even a partial disbursement), then the cash value will be counted as a cash asset and the applicable formula will be applied. Ongoing monthly pension payments are considered income.

Real Estate held solely in the name of a participant and transferred less than twelve (12) months prior to the required reporting date (initial certification or recertification date) will be

valued using this rule of thumb: The applicable HUD established percentage (%) of interest of the appraised value of the real property will be counted as imputed income for the year, unless market value rental income is received for the property and renting is a main business of a family member. Then the rental income will be counted instead of the percentage of the appraised value. In both cases, the cost of holding the property will be deducted from either the gross appraised market value of the asset or the gross rental income received. The expenses evaluated will be the costs of managing and maintaining the property such as mortgage payments, taxes, actual expenses for basic systems maintenance and the cost of selling the property, if applicable.

If the ownership of the property is held jointly with another (or others), then the TOS will pro-rate the income amount based on how title is held to the property. Market value will be based on an actual appraisal done no more than (18) eighteen months prior to the participant's certification or recertification.

The TOS will acquire an appraised market value from a real estate broker who deals with the sale and rental of property in the area the actual real estate is located. This will include property held as a life estate or in fee simple. Property interest in Indian trust lands is excluded.

When applicable, the TOS will make a detailed inquiry as to how a Section 8 participant can afford to make payments on property at the same time they are receiving rental subsidy.

(3). Rent Reasonableness

Rental units leased on the Section 8 Program will meet rent reasonableness guidelines set by HUD. No new unit will be leased; no renewal approved if the rent charged is above the rent for comparable unassisted rental units. Factors such as location, quality, size, age, amenities, utilities, services and maintenance provided, will be used to determine comparability.

The staff of the TOS will survey existing housing stock and prepare a list of comparable units for each bedroom size. The survey will be updated at least twice yearly. This survey is also

called a “Rent Reasonableness Log”. The Housing Inspector will prepare and sign a reasonableness form for each participant’s file.

(4). Review and Adjustment of Allowances for Utilities and Other Services

The utility schedule used for the Section 8 program will be adjusted periodically to reflect current utility rates. Utility fees will be closely monitored to be certain that the family is not required to pay a disproportionate amount for utilities. The utility schedule is an estimate and therefore must remain flexible. The TOS will use a revised utility schedule that is published yearly by the Association of Long Island Housing Agencies (ALIHA). All the member agencies on Long Island participate in the process and adopt ALIHA’s schedule.

(5). Processing Requests for Rent Increases by Owners

Landlord's/owner’s requests for an increase in the contract rent will be processed by the staff. Any request by a landlord must be made in writing at least sixty (60) days prior to the expiration of the current lease. Annual adjustments will be reviewed as well in the context of rent reasonableness. Tenants must pay any rent increases over the applicable payment standard or move to a different unit. The TOS may increase the payment standard for the program to assure affordability annually. New tenants may not pay more than 40% of their gross income for rent and utilities, tenants who are having their leases renewed have more discretion but must have sufficient income to pay for rent and utilities.

(6).Voucher Program: Payment Standard Adjustments

The payment standard is to be used by the TOS to calculate the amount of a family's housing voucher subsidy payment. At least once yearly, at the time the first budget for the new year is

submitted to HUD, the TOS will consider making adjustments to the payment standard for each bedroom size (0, 1, 2, 3, and 4). The payment standard will be based on HUD requirements as well as market affordability in the Town of Southampton. It is possible that an increase in the payment standard will increase the amount of subsidy available to the tenant and therefore absorb some if not all of the rent increase should the landlord request an increase in the contract rent at the end of the lease. Payment standards are monitored throughout the year.

(7). PREPARATION OF FINANCIAL DOCUMENTS CONSISTENT WITH HUD REGULATIONS

a -Budgetary Requirements

The program supervisor reviews a yearly budget provided by HUD and as well the Town's department budget. These activities are done in conjunction with the Town Comptroller's office (or Town's approved designee) to assure monies expended for the program in the current year, projections for the upcoming year and the anticipated funding by HUD, provide adequate monies for HAP and ongoing administrative fees. All HUD electronic monitoring and reporting (VMS) requirements are utilized to assure the program is operating with the required financial parameters. Program software (HAPPY) assists with the monitoring of ongoing payments to landlords and provides lease-up figures as well as total monthly payments. Payments are generated by the Comptroller's office (or Town's approved designee) based on the monthly HAP register (print-out). Checks can be issued manually for mid-month payments and/or corrections, if necessary. Then adjustments are made to VMS reporting for the month and all other reporting as necessary.

b – HUD submissions

The Comptroller or Town's designee maintains the Section 8 bank accounts according to HUD requirements and prepares breakdowns of funding received. The supervisor coordinates the collection of program data by category as required by HUD (i.e. subsidy payments, administrative fees, repayment by tenants, porting fees to other PHAs) and assures timely submission to HUD, as per mandated reporting requirements. There is a collaborative effort between the program supervisor and the Comptroller's office of the Town to assure the figures are kept up to date. There are updates provided by HUD through HUD's electronic (REAC) system. This system is also accessed by the auditors to assure timely filing to meet auditing requirements through the REAC system. As HUD regulations change, required forms are submitted to HUD in a timely manner.

c-Renewals and Amendments to HUD contracts

Upon notification by HUD, that the TOS's housing choice voucher allocation(s) have been modified or there has been an amendment to the voucher allocation, in numbers, funding amount of HAP or administrative fees (including but not limited to the amount or the way the regulations calculate funding availability), The Comptroller, or a designee, shall make the necessary adjustments coordinating with the program supervisor. A statement of said changes and their impact will be reported to the Town Board.

(8) NEW LEASES AND RENT INCREASES

Landlords/owners are notified that they must request rent increases in writing sixty (60) days prior to the expiration of the current lease. Rent increases will be reviewed based on the rental market and other rent reasonableness factors. Extensions to the lease may be granted by the program supervisor, on a case by case basis. No rent increases will be given during the extension period. A HAP extension agreement will be prepared by the TOS to cover the period the lease is extended for.

(9) THE PARTICIPANT MOVES TO A NEW UNIT

a- Mandatory - If the participant does not move they will lose program eligibility:

1. It is mandatory that the participant move when the landlord/owner, with proper notification to the TOS, terminates the lease, Tenancy Addendum and HAP contract for cause;
2. It is mandatory the participant move when the TOS terminates the contract with the landlord/owner whom has failed to comply with Housing Quality Standards (HQS), or other contractual and/ or legal requirements.

b- By Choice - The family chooses to move and they must take the following action to remain eligible for the Section 8 program. The tenant cannot choose to move within the first year of the assisted tenancy:

The family must give the landlord/owner proper notice in accordance with their lease;

1. The family must give the TOS thirty (30) days notice of its intent to move and request a Request for Approval of Tenancy ;
2. The participant can move out of the unit at the end of the lease provided proper notice is given;
3. The family must either certify to the TOS that their have been no changes in their income, sources of income, assets or family composition since their last recertification (if the move is between their scheduled yearly recertification), or they must be recertified prior to approval of the move;

c - Denial of Request to Move - The TOS will deny the family's request to move and remain eligible as a participant in the Section 8 program if:

1. *The family owes money to the TOS including any amounts that were paid on their behalf for unpaid rent or damages while they have been a Section 8 participant;
2. Fraud was committed by the participant or family member living in the rental unit;
3. The family has violated other Section 8 program obligations;
4. The tenant is in the initial term of lease;

5. The family does not comply with recertification requirements when the Request for Tenancy Approval has been submitted to the TOS;

6. Moving before the expiration of a lease will be discouraged. Only one move per year will be approved unless there is a breach of the HAP contract by the landlord/owner or other extenuating circumstances.

* If the move is required by the TOS due to HQS violations by the landlord that are not corrected, or other actions beyond the family's control, the TOS may make special arrangements to allow the family to move within the jurisdiction, if they are current with their repayment agreement.

(10). OFFICE MANAGEMENT:

A) Current:

The housing program supervisor and staff have been hired by the Town Board of Southampton. The General Services Administration of the Town oversees all staff and consultants. The program supervisor assures that all necessary data is kept and program requirements are met. The program supervisor is responsible for the day to day operations, staff supervision and training. The program supervisor monitors program functions and recommends modification of approach and implementation of the Section 8 program to the Town Board, as necessary, based on such facts as changes in HUD regulations, the housing market and applicant pool. As part of the duties: HAP contracts and leases are reviewed and approved. Complaints are investigated and regulations are applied and discretionary decisions are made and discussed with staff. Outreach to landlords, applicants and program participants are implemented using tools and resources available through the Town government. Other town resources, the real estate community and service organizations assisting those needing the greatest assistance receive special attention. The supervisor assures compliance with the PHA Plan and related program requirements.

The program supervisor, working with the Comptroller's office (or the approved designee), is responsible for keeping accurate fiscal records for the office. This includes balancing the accounts and monitoring the payments to landlords. The supervisor is responsible for following approved financial policies and procedure. The HAP register for payments that is generated by the HAPPY software, is reviewed and forwarded to the Comptroller for approval and payments.

The rental subsidy program coordinator and neighborhood aide work under the supervision of the housing program supervisor. They assist in developing and implementing all outreach and intake functions of the program. They assure that the waiting list is maintained properly. They refer important discretionary decisions to their supervisor. They conduct interviews and verify all information needed to determine applicant initial eligibility and continued eligibility of participants. They assure proper verification/documentation is kept in the files and the rent portions are calculated properly. They monitor program functions as to rent reasonableness, all aspects of the inspection process, follow-up, negotiations and, as needed, mediation with landlords, lease-up preparation and file maintenance. They assure updated and accurate information is provided to applicants, participants and a variety resources and agencies. They carefully review changes in income and family composition of the participants. They integrate their training into all aspects of the Section 8 Housing Choice Voucher Program. They utilize program software for their day to day implementation of program functions. They coordinate their activities.

Their duties include the requirement to: work with the support staff to send out applications when the waiting list is opened, prepare the files for review by the supervisor and auditor as needed, assist in the preparation of program reports for HUD, and perform other tasks from time to time pertaining to the implementation of both regulatory and discretionary aspects of the Section 8 Plan, and associated program requirements.

The **rental subsidy program coordinator** (or someone with a similar title) has more responsibility than the neighborhood aide, as to the caseload, financial reporting and as to supervisory functions.

The **part-time staff**- Works on various aspects of program intake and ongoing program functions. The tasks include but are not limited to handling routine inquiries about the program, handling the calling (mailing list) information and assuring those on the list receive applications when the waiting list is opened. Assisting the preparation of reports, mailing and generating data for program and financial management are also part of the senior clerk typist's responsibilities

Consulting services: 1) The housing inspector is a consultant working with the staff to perform inspections, prepare and complete inspection reports, coordinate with the Town building inspectors as to rental permit requirements and review units as to rental reasonableness factors. Follow-up, special and emergency inspections are included. 2) Other: From time to time the Town also retains consulting services for staff and program evaluation, staff training and for Plan preparation activities. In recent times, a consultant has also filled in working on all program functions as needed.

B. Future Management:

The Town is preparing a transition plan to consider various possibilities for future Section 8 program administration. Part of this process will include current staff, a Section 8 consultant working on planning and evaluation, an additional consulting component for staff training and implementation. Funding is being provided by the Town of Southampton. It is anticipated that within the calendar year, in consultation with HUD and seeking HUD's approval if required, administrative program changes will take place. The Town of Southampton Housing Authority, as well as the aforementioned consultants will be involved in this process. The goal will be to increase resources to the Town's Section 8 and other affordable housing programs and to assure that those needing affordable rental units have real choices both in quality and quantity.

It is possible that as a result of this transition there might be an adjustment of staff functions or titles, **though not substantial changes in program functions**. Notice will be given to HUD

and program participants (landlord and tenants), if and when these changes are occurring. There will also be appropriate public notice, and if required, approval by HUD.

(11) MONITORING PROGRAM FUNCTIONS

The staff monitors the number of applicants as well as the number of vouchers issued and participants under lease. Special outreach efforts will be made if participants have difficulty locating rental housing, if there is a shortage of local applicants or the mix of family size is deficient. Those outreach efforts will also focus on those minority groups least likely to apply. The program supervisor reviews all files prior to completion of the final lease-up, recertification or interim process.

The program supervisor monitors the housing inspections and looks at such facts as timeliness, thoroughness and number of units failing or passing inspection. The program supervisor, as required by HUD, continues to assure that there will be a follow-up inspection of the number of units mandated by HUD, within ninety (90) days of the initial lease-up or recertification.

The program supervisor will also monitor all other staff to assure that all discretionary aspects of this Plan as well as regulatory requirements, are administered in a consistent manner observing necessary protocols and procedures to assure program integrity. Special monitoring efforts relating to income will require those who claim no income to be reviewed at least every sixty (60) days. Families are expected to have some source of documented income and attention will be paid to evaluating in-kind income if that is the only source of income reported. Those families paying minimal rent will review every ninety (90) days.

Monitoring will also occur when family members move out and tenants become “overhoused”. That is the family is now living in a larger unit than they require or are entitled to. An evaluation will be made as to the length of time this has occurred, the size of the unit, utilities

that are included, age and disability of family and the rent being charge. Generally, if a family is over-house they will be asked to relocate within one year from the time they remain in a larger unit than they are entitled to by voucher size. However, exceptions may be made on a case by case basis reviewing the factors specified.

I. BASIC PROGRAM OBLIGATIONS

A family must:

1. Provide such certification, release, information and/or documentation as the TOS and/or HUD determines to be necessary, and submissions required for an annual or interim re-examination of family income and composition, including evidence of citizenship or eligible immigration status;
2. Allow the TOS to inspect the rental unit at reasonable time and with reasonable notice;
3. Notify the agency before vacating the dwelling unit;
4. Use the dwelling unit solely for residence by the family as specified on the lease, contract and certification form as the family's principal place of residence;
5. Disclose and verify social security numbers and sign and submit consent forms for obtaining information;
6. Provide information that is true and complete;
7. Be responsible for any breach of housing quality standards caused by the family;
8. Notify the TOS before they terminate the lease with the landlord;
9. Promptly gives TOS a copy of any eviction notice;
10. Seek approval for changes in family composition and promptly inform the TOS in writing of changes in family composition through birth, adoption or court awarded custody;
11. Report any changes of income, assets or other benefits immediately in writing to the TOS;
12. Supply information as requested to verify that the family is living in the unit or is vacant from the unit or that someone claiming "guest" status is in fact living at another location.

The family must not:

1. Own or have any interest in the dwelling unit, other than per HUD specified exceptions;
2. Commit any fraud, bribery or other corrupt or criminal act in connection with the Section 8 program;
3. Engage in any drug-related or violent criminal activity or permit guests to do so;
4. Threaten or harass any employee of the TOS;
5. Sublease any part of the rental unit or any part thereof, or assign the lease;
6. Violate the terms and conditions set forth in the Lease and/or Tenancy Addendum for the rental unit subsidized on the Section 8 program;
7. Receive additional rent subsidy from any Section 8 agency;
8. Allow a guest (visitor) to stay in the subsidized rental unit more than thirty (30) consecutive days;
9. Violate other obligations as specified on their housing voucher and material distributed to them notifying them of HUD regulations.

J. PROBLEMS

(1) Denial of Voucher- Applicant Eligibility

An applicant for Section 8 assistance may be denied program eligibility for the following reasons:

- a) Misinformation or fraud on the application or subsequent certification documents;
- b) Failure to respond to requests for information in a timely manner;
- c) Inconsistent or incomplete documentation;
- d) Failure to sign consent forms;
- e) Over income;
- f) Does not meet the definition of a family;
- g) Does not meet criteria of legal immigration status;
- h) Eviction for serious violation of a lease in a previous Section 8 program or federally assisted housing project;

- i) Monies owed to TOS from previous participation, to another PHA, or subsidized housing project that are outstanding;
- j) Threatening or abusive or violent behavior towards the TOS personnel;
- k) Past Section 8 program violations that resulted in loss of the tenant's participation in the program (other than i above);
- l) Criminal record of conviction or pleading guilty to a drug-related and/or violent crime;
- m) Such other grounds as mandated by HUD and by federal regulation(s) that may be amended from time to time;

(2) Termination of Tenancy

The landlord/owner may terminate the tenancy for cause under the terms and conditions specified in the lease and tenancy addendum and after giving the TOS proper notice and copies of any legal papers. The TOS may move to terminate the family's participation in the Section 8 program if the grounds for violating the lease can be substantiated. Termination of tenancy is not automatically grounds for termination of Section 8 assistance. The tenant/participant may terminate the tenancy as specified in the lease and tenancy addendum as well, but always in consultation with the TOS, and before any action is taken. The TOS may move only to terminate the HAP Contract with the landlord/owner, not the tenancy. If the tenant chooses to remain in the rental unit after the HAP Contract with the owner is terminated, the tenant is responsible to the landlord/owner for the entire rent and the TOS has no contractual obligations to the landlord/owner.

(3) Termination of the Family's Participation in the Section 8 Program

The TOS may move to terminate the family's participation in the Section 8 program for the following reasons:

- a) Fraud related to the Section 8 program;

- b) Drug-related criminal activity and/or other criminal activity as specified in federal regulations under which the Section 8 program is administered by HUD. This also includes, but is not limited to life-time registration as a sex offender. This may include activity in the Section 8 rental unit or activities by their severity or nature jeopardize the health, and/or safety, and /or well being of other tenants;
- c) Failure to repay outstanding monies owed to the TOS, another PHA or a federally assisted housing project;
- d) Threatening, abusive or violent behavior towards TOS personnel;
- e) Failure to meet **all other family obligations** that are part of the Federal regulations under which the Section 8 Housing Choice Voucher program is administered by HUD.

(4) Housing Assistance Payments (Housing Voucher) Contract Violations by the Owner

The program supervisor will notify the landlord/ owner in writing if there is reason to believe that the owner has violated the terms of the HAP Contract. If the allegations are that the owner is responsible for the breach of the contract, the landlord/ owner will be given a time period to respond. The time period granted will take into consideration the exigency of the circumstances.

Violations include but are not limited to: Uncorrected violations of Housing Quality Standards, creating an illegal secondary dwelling unit during the term of the contract, collecting more rent from the tenant than is permitted under the terms of the contract, violating the lease or Tenancy Addendum with the tenant and landlord/owner eviction of the family without cause or without proper notification to the TOS, drug-related or other felonious criminal activity, and other grounds as specified in 24 CFR 982.453 (and the HAP contract)

5) Termination of the Housing Assistance Payments Contract with the Owner

Prior to taking action to terminate the HAP contract with the landlord, the TOS will:

- a- Give written notice to the landlord/owner and the Section 8 participant;
- b- The notice will state the reasons for termination, the effective date, the deadline for submitting special claims and a statement of the family's responsibility to pay the entire rent if they remain in the unit after the termination of the contract.
- c- As listed under the HQS section of this Plan a landlord will generally be given thirty(30) days notice prior to termination of the HAP contract. However, in situations requiring an immediate response due to seriousness of the HQS violations, where the landlord is unresponsive and the family's health and safety are in jeopardy, the time frame will be shortened under specific circumstances as determined by the inspector and program supervisor.

(6) Assisting a Family That Claims Illegal Discrimination

Assistance will be provided when a family alleges that illegal discrimination is preventing that family from finding a suitable unit. In such cases, families will be referred to appropriate local, county, or state human rights organizations for assistance.

Applicants or participants claiming to have been subjected to discrimination because of race, color, religion, sex, disability, familial status, or national origin in the search for housing, or in the housing they currently occupy will be asked to fill out a Housing Discrimination Complaint Form and mail it to the nearest HUD office. Assistance in completing the form and mailing it to HUD will be provided by the TOS.

(7) Welfare Sanctions

If the Department of Social Services (DSS) has sanctioned a family by reducing welfare assistance, then the family's rent will not be reduced to reflect this decrease in income, if this reduction by DSS is due to:

- a- Fraud;
- b- Failure to participate in an economic self-sufficiency program;
- c- Failure to comply with work requirement activities.

The TOS will verify the circumstances of the reduction with DSS. If the circumstances are due the expiration of a lifetime time limit on receiving benefits or the family is in compliance but cannot find employment, then the rent will be reduced.

(8) Criminal Background Checks

The TOS will, with discretion, check the criminal background of Section 8 applicants and participants. From time to time, based on evidence received, the substance of which may affect the Section 8 family member's participation, the TOS will proceed with obtaining additional information relating to the criminal background of applicants for, or participants in, the Section 8 Rental Assistance Program. Various government data bases will be utilized. The staff will take the utmost care to assure privacy given the sensitive nature of the information. The staff will request a meeting with the family member involved in order to receive and explanation or clarification of the record as needed.

K. COMPLAINTS, APPEALS, INFORMAL HEARINGS AND REVIEWS

(1) General

Complaints or appeals of Section 8 staff rulings, decisions or actions will be reviewed by the program supervisor and must be requested in writing. When required, an informal review will be granted for an applicant and an informal hearing for a participant. If an informal review or hearing is not applicable the program supervisor, after receiving a written request, will contact the applicant or participant and schedule an informal meeting to discuss the matter further if necessary.

All applicants and participants entitled to an informal review or hearing will be given prompt written notice of the reasons for the action taken by the department, they will be notified that they have an opportunity to appeal this decision and given a time limit to submit the appeal in writing to the TOS. Language will be included in the written notice that the applicant or participant may request reasonable accommodation for their disability. If they do not file a written request for a hearing within the time line specified no further consideration will be given for a hearing and the assistance is considered terminated.

2. Granting or Denying and Informal Review

a- Granting an Informal Review

An informal review for the applicant with the program supervisor will be granted for the following reasons:

1. Applicant is denied a place on the waiting list;
2. Applicant is denied issuance of a voucher;
3. Applicant is denied participation in the program after the voucher is issued.

b- Denying an Informal Review

An opportunity for an informal review will not be offered in the following cases:

1. To review discretionary administrative determinations by the TOS, or to consider general policy issues or class grievances;
2. To review the sequencing of selection and offering assistance to a family from the waiting list;
3. To review the decision not to offer an extension to a voucher holder once allotted time to locate a rental unit has expired.

(3) Granting or Denying and Informal Hearing

The notice telling the participant they are entitled to an informal hearing will include the statement that they are entitled to be represented by an attorney at their own expense. The Hearing Officer will be an individual familiar with Section 8 regulations who is not employed by the Town of Southampton.

a- Granting an Informal Hearing

An opportunity for an informal hearing will be offered to a participant under the following conditions;

- 1- Termination of assistance;
- 2- Dispute of TTP, TFC calculations or tenant rent including issues of welfare sanctions;
3. - Determinations of bedroom size entered on the voucher.

b- Denial of an Informal Hearing

An opportunity for an informal hearing will **not** be offered in the following cases:

- 1- To review discretionary administrative determinations by the TOS or to consider general policy issues or class grievances;
- 2-. To review the determination that the unit does not comply with the TOS's Housing Quality Standards, that the landlord has failed to maintain or operate the contract unit to provide decent, safe and sanitary housing, including all services, maintenance and utilities required under the lease, or that the contract unit is not decent, safe and sanitary because of an increase in family size or composition;
- 3- To review a decision by the TOS to exercise any remedy against the landlord/owner under an outstanding contract, including the termination of Housing Assistance Payments to the owner;
- 4- To review the agency's decision not to approve the family's request for an extension of term of the voucher when an assisted family is looking for another rental unit and the current unit is no longer subsidized.

(4) Final Decision Rendered for Informal Reviews and Informal Hearings

The person who conducts the informal review or hearing will render a written decision, stating briefly the reasons for the decision. A copy of the decision will be sent to the applicant or participant. Factual determinations relating to the evidence presented and the individual applicant's or participant's circumstances will be considered. Minutes and/or a taped recording will be kept of the hearing and available to the participant upon request.

(5) Repayment Agreement Policy

The TOS will make an administrative determination if a Section 8 participant has failed to meet their obligations as to reporting income (and assets) and changes in family composition.

In cases where TOS has made the evaluation that **no fraudulent** activity is involved or a hearing officer conducting an informal hearing makes that determination, the TOS may offer the participant a Repayment Agreement without moving to terminate their participation in the Section 8 program. The TOS will consider all circumstances including the amount of funds owed, whether the participant is remaining on the program and their history on the Section 8 program. The participant must acknowledge and agree in writing that they made the specific error or omission and recognize their obligation to pay the amount in full: failure to make two consecutive payments on the monthly due date will be considered a default. A deposit on signing the agreement may be required if the sum owed is over \$1,000.00.

In cases where the TOS has made the evaluation that there is **possible fraudulent activity** the opportunity for an informal hearing will always be offered to a participant. If either the participant fails to, or chooses not to, ask for a hearing, or in the case where the hearing officer has made the determination that the participant has in fact acted intentionally to defraud the TOS, there will be a different approach. The Repayment Agreement offered to the participant will include language to the effect that even if they make payments to TOS as required, if directed by HUD, the TOS will report these activities to other government agencies. The language includes the hope that ongoing timely repayment or payment in full will mitigate any consequences to them by any enforcement agencies. The goal of this approach is to assure repayment of funds in a timely manner.

(6) Future Program Eligibility

A family that applies for Section 8 rental assistance and has been a previous participant in any Section 8 program, can be denied assistance if the family:

- a- Owes the TOS or any other agency administering a Section 8 program, of any kind, monies and has failed to repay the monies owed in a satisfactory manner;

- b- An informal hearing has been held and it has been determined fraud has been committed by the family in connection with their Section 8 assistance even if the amount of money owed to the agency cannot be determined;
- c- A family member has been convicted of felonious criminal activity during their residency in a Section 8 assisted rental unit or has a history of conviction or pleading guilty to drug related or violent crime that could jeopardize other tenants ;
- d- Has been terminated from the Section 8 program for cause, such as but not limited, to abandoning the rental unit without notice and damaging the rental premises beyond normal wear and tear;
- e- Other grounds that apply under Section I (1) and (2).

The applicant will be notified that they are entitled to request an informal review of their case upon the declaration that they are **not eligible** to participate in the Section 8 program.

L. RELEASE OF TENANT INFORMATION

The Section 8 program will be conducted in a way in which the privacy of clients is protected to the maximum degree practicable consistent with applicable rules, laws and regulations. Under no circumstances will tenant information including names and addresses be released to the general public. Moreover, no information will be released which could lead a person to identify the address or identity of a Section 8 participant.

Nothing herein shall prevent the disclosure of relevant information where necessary to other housing agencies and other government and law enforcement agencies following proper procedures. Information will be exchanged to determine eligibility of a prospective client or to facilitate the investigation of a client for fraud under this program.

M. DISAPPROVAL OF OWNERS

(1) Mandatory Denial

The TOS must be presented with appropriate documentation by HUD or an enforcement agency when:

- a- The Federal government has instituted an administrative or judicial action against the landlord/owner for violation of the Fair Housing Act or other federal equal opportunity requirements, and such action is pending;
- b- A court or administrative agency has determined that the landlord/ owner violated The Fair Housing Act or other federal equal opportunity requirements.
- c- The landlord/owner is engaged in drug-trafficking and/or manufacture.

Lease-up will be denied if the owner is a member of the immediate family of the prospective tenant family: that is parent, child, grandparent, brother sister or person intending to reside in the unit- the only exception to this, is if the tenant is disabled and then a request for such a reasonable accommodation will be reviewed on a case by case basis.

(2) Discretionary Denial

The TOS may deny or delay approval of a lease-up of a unit on the following grounds:

- a- The landlord/owner has violated obligations under a HAP or Housing Voucher Contract under Section 8 of the 1937 Act;
- b- The landlord/owner has committed fraud, bribery or any other corrupt criminal act in connection with any federal housing program;
- c- The landlord/owner has engaged in drug- related criminal activity;
- d- The landlord/owner has a history or practice of noncompliance with HQS for units leased under the Section 8 program or other federally assisted programs;

*e- The landlord/owner has a history or practice of renting units that fail to meet state or local housing codes; *

f- If the landlord/owner has not paid state or local real estate taxes, fines or assessments.

*History or practice is defined as failed HQS with inadequate owner response to making repairs and following the Housing Inspectors recommendations as to the overall substandard condition of any rental unit.

N. FAMILY ABSENCE FROM THE DWELLING UNIT

A family may not be absent from the dwelling unit for more than sixty (60) consecutive days. Family absence refers to the unit being vacant so that no family members are present during this period. If prior notice is given to the TOS, an additional sixty (60) days can be granted if there are health related circumstances that warrant special consideration. The program supervisor will specify what documentation is required. The program supervisor will review the request for absence from the rental unit on a case-by-case basis. If a family requires reasonable accommodation due to a disability, the program supervisor may consider an additional sixty (60) for a total of no more than one hundred and eighty (180) days. In these cases, the tenant's portion of the rent must be paid and no unauthorized person(s) is permitted to stay in the rental unit.

A family absent over thirty (30) consecutive calendar days must report the absence to the TOS and provide documentation of the reason for the absence. Absences beyond thirty (30) consecutive days that are not reported to the TOS are grounds for termination of Section 8 assistance.

O. CHANGE IN FAMILY COMPOSITION-WHO KEEPS THE VOUCHER

Generally, the adult who maintains custody of the minor children will keep the voucher and will remain in the rental unit. However, exceptions will be made on a case-by-case basis

allowing for extenuating circumstances and considering such factors as health, whether there has been domestic violence, or if drug abuse or criminal activity exists. Consideration and review must be consistent with the TOS's VAWA policy.

If a court determines disposition of property between members of the assisted family in a divorce or separation under the terms of a settlement or judicial decree, the TOS will be bound by the court determination.

In an extreme situation the program supervisor may decide, based on the availability of vouchers and the family circumstances to issue an additional voucher to the family for use in another rental unit.

O. PORTABILITY

To broaden the housing opportunity of a housing voucher holder including opportunities to locate housing outside areas of minority concentration, a housing voucher holder may move from the jurisdiction of the TOS to the jurisdiction of another PHA. Likewise, a voucher holder can port their voucher from another PHA's jurisdiction to the Town of Southampton upon request. In both cases, the voucher holder must be a tenant in good standing of the PHA initiating PHA the port, meeting all their family obligations.

The family requesting the port must notify the initial PHA of the location to which the family wants to move. The initial PHA will contact the PHA in the new area to ascertain if it administers a housing voucher program and, if it does, whether it is willing to administer the housing voucher on behalf of the family. If another PHA accepts the housing voucher holder, the initial PHA shall notify the receiving PHA to expect the family and verify:

(1) That the family met the income-eligibility requirements for admission to the initial PHA's program, and;

(2) That the initial PHA issued the family a housing voucher and the date by which the family must submit a Request for Approval of Tenancy to the receiving PHA.

The receiving PHA shall promptly notify the initial PHA if:

- (1) The family leases a unit of the amount of subsidy to be paid;
- (2) The family fails to submit a Request for Approval of Tenancy by the date specified by the initial PHA;
- (3) The family is terminated from the program or absorbed by the receiving PHA.

The receiving PHA will bill the initial PHA for the housing voucher subsidy on behalf of the family. The receiving PHA may elect to absorb by giving the family one of its own Section 8 housing vouchers. If so, the billing procedure will not apply.

The TOS has reserved the right to administer housing vouchers in another jurisdiction using the applicable payment standard, rather than porting out the voucher to another nearby PHA. This was done in order to expand housing opportunities to local area residents. As it has become difficult to administer units outside the Town of Southampton, the TOS, coordinating with local administrators formulated a plan in 2008 to reverse this, using available portability options and through careful monitoring and agency cooperation. This is an ongoing process.

P. LIVE-IN-AIDES

When a family consists of at least one elderly or near-elderly or disabled person, the family may request a live-in-aide to assist the person who is disabled. The services of a live-in-aide will be approved, provided the following:

- 1) If as a reasonable accommodation it is to make the program accessible to and usable by the person with the disability;

- 2) The TOS can deny a particular live-in-aide due to fraud, criminal activity or any other corrupt activity in connection with any federal housing program, or if
- 3) The person commits drug-related criminal activity or violent criminal activity;
- 4) The live-in-aide's income is not counted;
- 5) The live-in-aide must provide information requested including his/her social security number and other identifying information;
- 6) The live-in-aide must sign a form stating he/she understands they are not part of family as to right to remain in the rental unit as a subsidized tenant with a housing choice voucher;
- 7) The TOS will consider all issues relating to occupancy standards as specified by HUD in issues relating to standards for live-in-aides for the disabled.

Q. SPECIAL PROGRAMS:

1) General:

From time to time the TOS may apply for special funding or permission to use some of the vouchers for special programs, including a **Homeownership Program**. Upon consultation with HUD and approval of the Town Board, TOS staff will design a homeownership program and to administer such program based on availability of resources. If this program option becomes viable, the specifics of the plan and approval of such programs will be added as an addendum to this plan and forwarded to HUD.

Other programs offered are difficult to administer because of the mandates in operating them, the size of the program and because the east end of Long Island is a high cost area that lacks the unified network of services that larger areas, suburban and urban offer their residents. The lack of reliable public transportation, a County Social Service or Social Security office east of Riverhead, are some of the reasons that several east end agencies requested and received an exemption from FSS a number of years ago. It is also why future programs will require funding beyond HUD subsidies to provide the planning, support and implementation for program

targeted to move families from renters to home owners. It is one of the reasons the Town is researching creative ways to work with its Housing Authority to plan future projects with the hope of combining Section 8 program financing with rental homes that are affordable. The Town working with the Housing Authority is planning to provide new opportunities for affordable home ownership through the purchase and transfer of land for development.

2) Project-Based Vouchers:

The TOS plans to consider the option of preparing an RFP for Section 8 project- based vouchers to be utilized in the Town for viable projects under 24CFR 983. This could be for PHA owned units or not. A proposal may be submitted for project-based housing vouchers (PBV) for PHA owned units as per 24 CFR 983.51(e) and 983.59. If the future choice is to proceed with utilizing these vouchers for project based assistance, PHA owned or not, HUD will be contacted by the TOS and a copy of the RFP forwarded to them. The RFP will give an adequate time period to respond, emphasize familiarity with the local community, state specific rental parameters based on funding concerns under the ACC and comply with all applicable section of 24 CFR983.

If these are to be PHA owned units, a local qualified agency familiar with Section 8 tenant based and project based assistance, most likely a member agency of ALIHA (the Association of Long Island Housing Agencies), will be selected to review all the administrative requirements for a potential project. The name of the specific agency, the details of the proposed project and appraisal services will be forwarded to HUD once a project has been identified. Fees for the above referenced services will be paid from administrative fee income, the administrative fee reserve or other monies provided by the Town.

R. OPERATING RESERVE (A/K/A ADMINISTRATIVE FEE RESERVE)

This account is credited with earned administrative fees that exceed expenditures for program administration during the TOS's fiscal year. These funds will be placed in an interest bearing account. The operating reserve will be used to pay Section 8 administrative costs that exceed earned administrative fees for the TOS fiscal year. The program supervisor in conjunction with the Comptroller's office (or the designee) will ensure that projected administrative fees and the operating reserve will cover all projected costs of efficient and effective program administration through the remaining Annual Contributions Contract (ACC) terms.

Operating Reserve funds may not be expended for housing purposes other than administration of the Section 8 program. Expenditures from this account require a Board resolution.

VIOLENCE AGAINST WOMEN ACT (VAWA) Public Housing Law 109-162
POLICY AND PROCEDURES TO BE INCORPORATED INTO THE
SECTION 8 ADMINISTRATIVE PLAN
Town of Southampton

As it applies to the Section 8 Housing Choice Voucher Program VAWA prohibits the eviction of, and the removal of assistance from, or denial of assistance to, applicants or participants/tenants if the grounds asserted for such action are an incidence of domestic violence, sexual assault, dating violence or stalking as those terms are defined by federal law. Relationships covered under the law are not gender specific and the Town of Southampton Section 8 Housing Choice Voucher Program staff (TSH) will consider allegations related to the type of relationship, nature and duration as defined by VAWA.

It is understood that confidentiality is mandated and that as a PHA administering the Section 8 program, the TSH have an obligation to provide information to applicants and participants as to what VAWA encompasses, what protections are afforded victim and referrals for assistance. Each family situation is unique even though there are requirements and guidelines to follow. The TSH also understands that there are subtleties and nuances in every family situation, that a family must be secure in its' housing

Applying the aforementioned standards, accepting the program's administrative obligations and using discretion and good judgment the TSH will proceed as follows:

- 1) **Applicant:** The staff will provide applicants on the waiting list with a brochure on VAWA. If an applicant asserts protection under VAWA based on a history or incidence that applies to them and could result in denial of Section 8 assistance, the TSH will require documentation;
- 2) Once the applicant asserts protection under VAWA, the staff will require minimally that the applicant sign a certification form attesting to the fact that there has been an incidence of domestic violence, sexual assault date violence and/or stalking and who the perpetrator is. Included on the form will be a release so the TSH can obtain information from a 3rd party;
- 3) The applicant will have a period of fourteen business (14) days in which the TSH can obtain 3rd party verification of such acts as domestic violence, sexual assault, date violence or stalking perpetrated on the applicant or family member who will be part of their household under the program. The applicant will provide the name and address of either: an attorney, employee, agent or volunteer of a victim's service, a medical professional or clergy person. They will be asked to verify that the applicant (or family member) sought assistance for the actual or threatened abuse. The TSH at its' discretion, may grant an extension to this time

period if there are extenuating circumstances for the delay. The TSH may, at its' discretion, obtain the information verbally from the 3rd party;

- 4) The TSH will include the following factors in determining whether to deny assistance to the applicant: a) Seriousness of the case and effect denial of admission will have on the family and individual members who were not involved in the threatened or actual use of violence b) Extent of participation or culpability of family members c) Mitigating factors relating to a family member's disability and other reasonable accommodation factors d) All other relevant circumstances;

Following other procedures specified in this Plan, the applicant will have the opportunity to request an informal review if they are denied assistance. At the review all the factors specified above will be considered at the applicant's request. A decision will be rendered based on the credibility of and a preponderance of the evidence presented.

- 5) **Participant:** When the specific actions of a tenant, household member, guest or other person under the tenant's control call for the termination of assistance (tenancy) for violations of the Section 8 program (or lease), and the tenant or other household member claims that **he or she is a victim** of such actions as domestic violence, sexual assault, dating violence or stalking, the PHA must ensure that said family is provided the protections under VAWA;
- 6) As for an applicant, the TSH will request the tenant (or appropriate family member) certify that they are a victim under the VAWA criteria specified above following the same timing considerations and process, type of certification and discretionary considerations.
- 7) Prior to requesting that they sign certification/release form they will be given information (brochure) on VAWA to assure they understand what type of action and relationship is covered under VAWA as well as their rights;
- 8) The TSH staff will assure that the participant information is kept confidential and not provided as information for any data base for the Section 8 program;
- 9) The TSH will have the discretion to take action that benefits the participating family and this may result in: approval of the termination of a lease, approval of a move-out, change in voucher size, approval of a port and other such appropriate actions. These and other options, permitted under federal regulations will be offered at the discretion of the TSH, on a case by case basis. The TSH will review documentation and decide by a preponderance of reliable evidence if such action is required to protect the safety of the participating

family or individual in that family;

- 10)** If the participant does not provide the certification or required information to The TSH in the time period specified, and/or if there are other considerations that The TSH becomes aware of relating to criminal activity by the participant or family members or guests in their rental unit that are not subject to VAWA, and or there other separate grounds for termination of the participant's Section 8 assistance as specified in this Plan and covered by federal regulations, the TSH may take action to terminate said participation. The TSH staff will make sure the VAWA aspect of any situation is carefully evaluated, despite other allegations. The TSH will comply with all program requirements following due process considerations of notice, procedure and substance as they related to the participant's right to an informal hearing,

COPY OF THE MOST RECENT AUDIT:

The audit for Fiscal year 2008 (January 1, 2008- December 31, 2008) was due September 30th 2009 and was to be submitted with this Plan. HUD published Notice PIH 2009-34 (HA), Subject: “Supplemental Asset Management Financial Reporting Information- Transition Year 1”. According to said notice the deadline for submission has been extended until December 31st 2009. At that time the audit will also be submitted to HUD. The previous years’ audits have already been submitted to HUD, previously made available for public review during the Annual Plan and other Town mandated reviews and commented on.