

THE HOUSING AUTHORITY
OF THE CITY OF
MONROE, NORTH CAROLINA

ADMISSION AND CONTINUED OCCUPANCY POLICIES



JULY 2013

TABLE OF CONTENTS

INTRODUCTION	1
AUTHORITY	2
A1.0 AUTHORITY.....	2
A1.1 OBJECTIVES.....	2
A1.2 APPLICABILITY.....	3
A1.3 SOURCES OF STANDARDS.....	3
A1.4 REVIEW OF PLAN.....	3
A1.5 METHODS OF ADMINISTRATION.....	3
A1.6 TITLE VI COMPLIANCE.....	4
A1.7 EQUAL OPPORTUNITY REQUIREMENTS.....	4
A1.8 SERVICES FOR NON-ENGLISH SPEAKING APPLICANTS AND RESIDENTS.....	5
A1.9 FAMILY OUTREACH.....	5
A1.10 RIGHT TO PRIVACY.....	5
A1.11 REQUIRED POSTINGS.....	6
A1.12 TAKING APPLICATIONS.....	6
DEFINITIONS	7
B1.0 DEFINITIONS.....	7
ADMISSION PROCESS	22
C1.0 APPLICATION TAKING.....	22
C2.0 ADMISSIONS - ELIGIBILITY CRITERIA.....	23
C3.0 VERIFICATION OF INCOME AND CIRCUMSTANCES.....	27
C4.0 DETERMINATION AND NOTIFICATION OF ELIGIBILITY.....	29
C4.1 NOTIFICATION PROCEDURE.....	30
C5.0 OCCUPANCY STANDARDS.....	30
C6.0 INCOME TARGETING AND DECONCENTRATION.....	31
C7.0 APPLICANT SELECTION AND ASSIGNMENT PLAN.....	32
C7.1 APPLICATION RANKING.....	33
C7.2 APPLICANT ASSIGNMENT.....	33
C7.3 DWELLING UNIT OFFERS.....	34
C7.4 UNIT REFUSALS.....	35
C8.0 LEASING OF DWELLING UNITS.....	35
C9.0 ADMISSION OF ADDITIONAL MEMBERS TO A CURRENT HOUSEHOLD.....	36
C10.0 RENT RULES.....	38
C11.0 INSPECTIONS.....	41
C11.1 MOVE-IN INSPECTIONS.....	41
C11.2 ANNUAL INSPECTIONS.....	41
C11.3 PREVENTIVE MAINTENANCE INSPECTIONS.....	41
C11.4 SPECIAL INSPECTIONS.....	41

C11.5	HOUSEKEEPING INSPECTIONS	41
C11.6	NOTICE OF INSPECTION.....	42
C11.7	EMERGENCY INSPECTIONS.....	42
C11.8	PRE-MOVE-OUT INSPECTIONS.....	42
C11.9	MOVE-OUT INSPECTIONS	42
C12.0	APPROVAL PROCESS FOR RESIDENTS REQUESTING PERMISSION TO OPERATE A BUSINESS IN THE UNIT.....	42
C13.0	OCCUPANCY BY POLICE OFFICERS.....	43
CONTINUED OCCUPANCY		44
D1.0	ELIGIBILITY FOR CONTINUED OCCUPANCY	44
D2.0	RE-EXAMINATION	45
D2.1	ANNUAL RE-EXAMINATIONS	46
D2.2	SPECIAL RE-EXAMINATIONS	46
D2.3	INTERIM RE-EXAMINATIONS.....	47
D2.4	PROCESSING RE-EXAMINATIONS	48
D3.0	RE-EXAMINATION DATES.....	49
D4.0	TEMPORARY RENTS	49
D5.0	EVICTION OF FAMILIES FOR DRUG-RELATED AND/OR CRIMINAL ACTIVITIES	49
D5.1	EVICTION OF FAMILIES WHOSE MEMBER(S) DO NOT COMPLY WITH THE COMMUNITY SERVICE REQUIREMENT.....	50
D5.2	TERMINATION BY THE HOUSING AUTHORITY.....	50
D5.3	TERMINATION BY RESIDENT	51
D5.4	ABANDONMENT.....	51
D5.5	RETURN OF SECURITY DEPOSIT.....	51
TRANSFERS		52
E1.0	TRANSFER POLICY	52
E1.1	TYPES OF TRANSFERS	52
E1.2	PRIORITIES FOR TRANSFERS.....	55
E1.3	TRANSFER PROCEDURES	55
E1.4	RELOCATION COST	56
E1.5	RIGHT OF MANAGEMENT TO MAKE EXCEPTIONS.....	57
FRAUD		58
F1.0	FRAUD.....	58
RENT COLLECTION POLICY		59
G1.0	GENERAL SELECTION.....	59
G1.1	RENTAL PAYMENTS AFTER THE DELINQUENCY DATE	59
G1.2	PROCEDURES AFTER THE EXPIRATION OF THE TERMINATION OF THE DWELLING LEASE.....	60
G1.3	RETROACTIVE RENT CHARGES (REPAYMENT AGREEMENT)	60
G1.4	VACATED RESIDENTS WITH BALANCES	60

VERIFICATION PROCEDURES.....61

H1.0. INTRODUCTION 61

H1.2 METHODS OF VERIFICATION AND TIME ALLOWED 61

H1.3 RELEASE OF INFORMATION 65

H1.4 ITEMS TO BE VERIFIED 65

H1.5 VERIFICATION OF INCOME 66

H1.6 INCOME FROM ASSETS..... 70

H1.7 VERIFICATION OF ASSETS 71

H1.8 VERIFICATION OF ALLOWABLE DEDUCTIONS FROM INCOME 72

H1.9. VERIFYING NON-FINANCIAL FACTORS..... 75

H1.10 VERIFICATION OF CITIZENSHIP/ELIGIBLE IMMIGRANT STATUS..... 77

H1.11 VERIFICATION OF SOCIAL SECURITY NUMBERS 79

APPENDIX A PIH NOTICE 2004-1 - INCOME VERIFICATION GUIDE

APPENDIX B PET POLICY

APPENDIX C VOLUNTARY CONVERSION

APPENDIX D MARKET VALUE FLAT RENT

APPENDIX E COMMUNITY SERVICE

APPENDIX F VIOLENCE AGAINST WOMEN ACT (VAWA) POLICY

INTRODUCTION

The Monroe Housing Authority (MHA) was established pursuant to the United States Housing Act of 1937, as amended, to provide decent, safe, sanitary and affordable housing to low income families. In accordance with this objective, the development of standard policies and procedures are necessary in order to ensure equitable treatment for all applicants and residents, as well as, to ensure the efficient operation of public housing units managed by the MHA. In recognition thereof the Monroe Housing Authority has developed Policies on Admission and Continued Occupancy which implement federal and state regulations. Said policies are also based on recognition that the provision of decent, safe, sanitary and affordable housing is dependent upon social and economic factors as well as physical factors.

This Admission and Continued Occupancy Policy is intended to be consistent with the latest addition of the Code of Federal Regulations governing the Department of Housing and Urban Development, and all related HUD Transmittals and Notices, in the event of inconsistencies, the provisions of that code shall prevail.

The word MHA when used herein is intended to refer to the Monroe Housing Authority.

The programs administered by the Authority are:

Federal:

Low Income Public Housing

AUTHORITY

A1.0 Authority

Eligibility for admission to and occupancy of Low-Income Public Housing is governed by requirements of the Department of Housing and Urban Development, with some latitude for local policies and procedures. This Admissions and Continued Occupancy Policy (the Plan) incorporates these requirements and is binding upon applicants, residents, and the MHA alike, the latter two through inclusion of the Plan into the Dwelling Lease by reference. Notwithstanding the above, changes in applicable Federal Law or regulations shall supersede this policy at any point in which they are in conflict.

A1.1 Objectives

The Objectives of this policy are to:

- A. Promote the overall goal of safe, decent and sanitary housing in good neighborhoods by:
 - 1. Insuring a social and economic mix of low-income residents within each public housing neighborhood in order to foster social stability and upward mobility.
 - 2. Insuring the fiscal stability of the MHA.
 - 3. Lawfully denying admissions or continued occupancy to families whose presence in a public housing neighborhood is likely to adversely affect the health, safety or welfare of other residents or the physical environment of the neighborhood.
- B. Facilitate the efficient management of the MHA and compliance with Federal and State regulations by establishing the policy basis for management procedures, record keeping and auditing.
- C. Comply in letter and spirit with Title VI of the Civil Rights Act of 1964 and all other applicable Federal and State laws and regulations to insure that admission to and occupancy of public housing neighborhoods is conducted without regard to race, color, creed, age, sex, handicap, familial status or national origin.
- D. Prescribe standards and criteria for resident selection and annual re-examination of income and family composition.

Terminology - The term "He" or "She" used throughout this document is used in the generic sense to include male/female, singular/plural as appropriate. In addition, the term "the Plan" used throughout this document is used in the generic sense for Admission and Continued Occupancy Policies.

A1.2 Applicability

The provisions of the Plan are applicable to all MHA administered developments and/or programs receiving financial assistance from either the Federal and or State Governments. Applicants and residents will be treated with courtesy and consideration in all verbal and written communications.

A1.3 Sources of Standards

The pertinent laws of the Federal, State and Municipal Governments.

The Contractual agreements pertaining to the various developments and/or programs between the MHA, State and/or Federal agencies. The provision of Title 24, Sub-part B (Section 960.201 thru 960.207), Sub-part D (Section 960.401 thru 960.409) and Sub-part A (Section 966.1 thru 966.6) as set forth in the Code of Federal Regulations, Volume 40, Numbers 153, 154 and 188.

Policies established by the MHA's Board of Commissioners by formal resolution.

Directives issued by the MHA's administrative officers.

A1.4 Review of Plan

Annually the Executive Director or his/her designee shall review the operations of this plan and make changes as appropriate.

A1.5 Methods of Administration

The administration of the Plan is to provide each applicant the greatest opportunity to exercise his/her rights under this plan; to avoid any discrimination in any manner or provisions of any service against any applicant because of race, creed, religion, color, national origin, age, sex, handicap, familial status or source of income; and to promote integrated developments and/or programs.

The MHA will post, in a conspicuous place in the Administration office where applications are received, a notice that the facilities and services of the MHA are provided on a non-discriminatory basis.

A copy of this manual will be available to agencies, institutions, organizations and political subdivisions, which may refer applicants.

The MHA will instruct its staff concerning its and their obligations under the Civil Rights and Non-Discrimination laws and regulations of the Federal and State governments by conducting training, distributing copies of pertinent documents, and ongoing supervisory review.

All applicants and residents will be treated with courtesy and consideration at all times in all verbal and written communications.

No applicant, resident or staff will be intimidated nor will any retaliatory action be taken, nor threats thereof made, by MHA or its staff because of the applicant, resident or staff participation in Civil Rights activities or for having asserted any of his/her rights under the Civil Rights Acts, DOH, HUD's regulations and requirements pursuant thereto.

A1.6 Title VI Compliance

With the MHA's continuing efforts to provide voluntary compliance with Title VI, MHA is adhering to the following general provisions regarding its Public Housing Programs:

With respect to any housing accommodations, facilities, services, financial aid or other benefits involved in its federally funded public housing programs, the MHA, its officers, administrators, agents, employees, successors, all persons exercising governance over the MHA, and all persons in active concert or participation with any of them, agree to refrain from any acts which, on the grounds of race, color, creed, age, sex, handicap, familial status or national origin such as to:

1. Deny a person such benefits;
2. Provide benefits to a person which are different from those provided to others;
3. Subject a person to segregation or separate treatment in any matter related to such benefits;
4. Provide a preference for such benefits to any person, except as provided by this Agreement;
5. Restrict a person's access, in any way, to such benefits or enjoyment of any advantage or privilege enjoyed by others in connection with such benefits;
6. Treat a person differently from others in determining whether he/she satisfies any occupancy, admission, enrollment, eligibility, membership or other requirement or condition which the person must meet;
7. Deny a person an opportunity to participate in the program or activity through the use of biased preference criteria, or otherwise afford the person a different opportunity to participate from that afforded others.

A1.7 Equal Opportunity Requirements

The Monroe Housing Authority hereby assures and certifies that it will comply with:

1. Title VI of the Civil Rights Act of 1964 (P.C. 88-352) and regulations pursuant thereto (Title 24CFR Part 1);

2. Title VIII of the Civil Rights Act of 1968 (P.L. 90-284) as amended, and administer its programs and activities relating to housing in a manner to affirmatively further fair housing;
3. Executive Order 11063 on Equal Opportunity in Housing and non-discrimination in the sale and rental of housing provided with Federal Financial Assistance;
4. Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination based upon handicap in programs receiving Federal Financial Assistance;
5. The Age Discrimination Act of 1975, which prohibits discrimination based upon age in programs receiving Federal Assistance; and
6. Title II of the Americans with Disabilities Act, to the extent that it applies.

A1.8 Services For Non-English Speaking Applicants And Residents

The Monroe Housing Authority will endeavor to have access to people who speak languages other than English in order to assist non-English speaking families. The following languages will be covered: Spanish

A1.9 Family Outreach

The Monroe Housing Authority will publicize the availability and nature of the Public Housing Program for extremely low-income, very low and low-income families in a newspaper of general circulation, and by other suitable means.

To reach people who cannot or do not read the newspapers, the Monroe Housing Authority will distribute fact sheets to community service personnel. The Monroe Housing Authority will also try to utilize public service announcements.

The Monroe Housing Authority will communicate the status of housing availability to other service providers in the community and inform them of housing eligibility factors and guidelines so they can make proper referrals for the Public Housing Program.

A1.10 Right To Privacy

All adult members of both applicant and resident households are required to sign HUD Form 9886, Authorization for Release of Information and Privacy Act Notice. The Authorization for Release of Information and Privacy Act Notice states how family information will be released and includes the Federal Privacy Act Statement.

Any request for applicant or resident information will not be released unless there is a signed release of information request from the applicant or resident.

A1.11 Required Postings

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

- A. Statement of Policies and Procedures governing Admission and Continued Occupancy
- B. Notice of the status of the waiting list (opened or closed)
- C. Current Schedule of Routine Maintenance Charges
- D. Dwelling Lease
- E. Grievance Procedure
- F. Fair Housing Poster
- G. Any current Monroe Housing Authority Notices

A1.12 Taking Applications

Families wishing to apply for the Public Housing Program will be required to complete an application for housing assistance. Applications will be accepted and may be made in person at its administrative office: 504 Hough Street, Monroe, NC 28112-5776. Applications will be accepted Wednesdays only, between the hours of 8:00 AM and 5:00 PM.

Applications are taken to compile a waiting list. Due to the demand for housing in the Monroe Housing Authority jurisdiction, the Housing Authority may take applications on an open enrollment basis, depending on the length of the waiting list.

Completed applications will be accepted for all applicants and the Housing Authority will verify the information. Applications will be mailed to interested families upon request. The completed application will be dated and time stamped upon its return to the Monroe Housing Authority.

Persons with disabilities who require a reasonable accommodation in completing an application may call the Monroe Housing Authority to make special arrangements.

The application process will involve two phases. The first phase is the initial application for housing assistance or the pre-application. The pre-application requires the family to provide limited basic information establishing any preferences to which they may be entitled. This first phase results in the family's placement on the waiting list.

DEFINITIONS

B1.0 Definitions

Adjusted Income

Adjusted income means annual income of the members of the family residing or intending to reside in the dwelling unit, after making the following deductions:

- (a) *Mandatory deductions.* In determining adjusted income, the responsible entity must deduct the following amounts from annual income:
 - (1) \$480 for each dependent;
 - (2) \$400 for any elderly family or disabled family;
 - (3) The sum of the following, to the extent the sum exceeds three percent of annual income:
 - (i) Unreimbursed medical expenses of any elderly family or disabled family;
 - and
 - (ii) Unreimbursed reasonable attendant care and auxiliary apparatus expenses for each member of the family who is a person with disabilities, to the extent necessary to enable any member of the family (including the member who is a person with disabilities) to be employed, but this allowance may not exceed the earned income received by family members who are 18 years of age or older who are able to work because of such attendant care or auxiliary apparatus; and
 - (4) Any reasonable child care expenses necessary to enable a member of the family to be employed or to further his or her education.
- (b) *Permissive deductions—for public housing only.* For public housing only, a PHA may adopt additional deductions from annual income.

Annual Income

Annual Income is the anticipated total income from all sources received by the family head and spouse (even if temporarily absent) and by each additional member of the family, including all net income derived from assets, for the 12 month period following the effective date of initial determination or re-examination of income, exclusive of income that is temporary, non-recurring, sporadic, and exclusive of certain other types of income specified in this policy.

Annual Income includes, but is not limited to:

1. The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services;
2. The net income from operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the Family;
3. Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation is permitted only as authorized in 2 above of this section. Any withdrawal of cash or assets from an investment will be included in income, except to the extent the withdrawal is a reimbursement of cash assets invested by the Family. Where the family has Net Family Assets in excess of \$5,000, Annual Income shall include the greater of actual income derived from all Net Family Assets or a percentage of the value of such Assets based on the current passbook savings rate, as determined by HUD;
4. The full amount of periodic payments received from social security, annuities, insurance policies, retirement funds, pensions, disability or death benefits and other similar types of periodic receipts, including the lump-sum payment for the delayed start of a periodic payment except from SSI and Social Security pay, per Notice PIH 93-11;
5. Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay (but see "lump sum additions" in this policy);
6. Welfare assistance;
7. Scholarship payments specifically designated for room and board or a computed amount remaining after the expenses of books, tuition or travel;
8. Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from persons not residing in the dwelling; and/or

9. All regular pay, special pay and allowances of a member of the Armed Forces 1.
10. Amounts received under a resident service stipend. A resident service stipend is a modest amount (not to exceed \$200 per month) received by a resident for performing a service for the PHA or owner, on a part-time basis, that enhances the quality of life in the development. Such services may include, but are not limited to, fire patrol, hall monitoring, lawn maintenance, resident initiatives coordination, and serving as a member of the PHA's governing board. No resident may receive more than one such stipend during the same period of time;

Annualization of income. If it is not feasible to anticipate a level of income over a 12-month period (e.g., seasonal or cyclic income), or the PHA believes that past income is the best available indicator of expected future income, the PHA may annualize the income anticipated for a shorter period, subject to a redetermination at the end of the shorter period.

Annual Income **does not include** such temporary, non-recurring or sporadic income as the following:

1. Temporary, non-recurring or sporadic income (including gifts);
2. Amounts that are specifically for or in reimbursement of the cost of medical expenses;
3. Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains, lump-sum payments of deferred periodic payments from SSI and Social Security and settlement for personal or property losses (but see "payments in lieu of earnings" in this policy);
4. Amounts of educational scholarships paid directly to the student or the educational institution, and amounts paid by the Government to a veteran, for use in meeting the costs of tuition, fees, books, equipment, materials, supplies, transportation, and miscellaneous personal expenses of the student. Any amount of such scholarship or payment to a veteran not used for the above purposes that is available for subsistence is to be included in income;
5. The special pay to a family member in the Armed Forces away from home and exposed to hostile fire;
6. Amounts received under training programs funded by HUD:

¹ (whether or not living in the dwelling, Annual Income does not include the special pay to a family member in the Armed Forces away from home and exposed to hostile fire)

7. Amounts received by a disabled person that are disregarded for a limited time for purposes for Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS); or
8. Amounts received by a participant in other publicly assisted programs which are specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, childcare, etc.) and which are made solely to allow participation in a specific program;
9. Monies received for performing census data collection.
10. Income from employment of children (including foster children) under the age of 18 years;
11. Payments received for the care of foster children;
12. Income of a Live-in Aide, as defined in 24 CFR 913.102;
13. Any earned income tax credit refunds, per Notice PIH 91-10;
14. The following updated list of federally mandated exclusions supersedes that notice published on August 3, 1993. The following list of program benefits is the comprehensive list of benefits that currently qualify for the income exclusion stated in 24 CFR 5.609(c)(17) per the Federal Register publication on April 20, 2001:
 - i. The value of the allotment provided to an eligible household under the Food Stamp Act of 1977 (7 U.S.C. - 2017(b));
 - ii. Payments to Volunteers under the Domestic Volunteer Services Act of 1973 (42 U.S.C. 5044(g), 5058);
 - iii. Payments received under the Alaska Native Claims Settlement Act (43 U.S.C. 1626(c));
 - iv. Income derived from certain submarginal land of the United States that is held in trust for certain Indian tribes (25 U.S.C. 459e);
 - v. Payments or allowances made under the Department of Health and Human Services' Low-Income Home Energy Assistance Program (42 U.S.C. 8624(f));
 - vi. Payments received under programs funded in whole or in part under the Job Training Partnership Act (29 U.S.C. 1552(b)); (effective July 1, 2000, references to Job Training Partnership Act shall be deemed to refer to the corresponding provision of the Workforce Investment Act of 1998 (29 U.S.C. 2931);
 - vii. Income derived from the disposition of funds to the Grand River Band of Ottawa Indians (Pub. L. 94-540, 90 Stat 2503-04);

- viii. The first \$2000 of per capita shares received from Judgment funds awarded by the Indian Claims Commission or the U.S. Claims Court, the interests of individual Indians in trust or restricted lands, including the first \$2000 per year of income received by individual Indians from funds derived from interests held in such trust or restricted lands (25 U.S.C. 1407-1408);
- ix. Amounts of scholarships funded under title IV of the Higher Education Act of 1965, including awards under Federal work-study program or under the Bureau of Indian Affairs student assistance programs (20 U.S.C. 1087uu);
- x. Payments received from programs funded under Title V of the Older Americans Act of 1985 (42 U.S.C. 3056(f));
- xi. Payments received on or after January 1, 1989, from the Agent Orange Settlement Fund or any other fund established pursuant to the settlement in *In Re Agent-product liability litigation*. M.D.L. No. 381 (E.D.N.Y.);
- xii. Payments received under the Maine Indian Claims Settlement Act of 1980 (25 U.S.C. 1721);
- xiii. The value of any child care provided or arranged (or any amount received as payment for such care or reimbursement for costs incurred for such care) under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858q);
- xiv. Earned income tax credit (EITC) refund payments received on or after January 1, 1991 (26 U.S.C. 32(j));
- xv. Payments by the Indian Claims Commission to the Confederated Tribes and Bands of Yakima Indian Nation or the Apache Tribe of Mescalero Reservation (Pub. L. 95-433);
- xvi. Allowances, earnings and payments to AmeriCorps participants under the National and Community Service Act of 1990 (42 U.S.C. 12637(d));
- xvii. Any allowance paid under the provisions of 38 U.S.C. 1805 to a child suffering from spina bifida who is the child of a Vietnam veteran (38 U.S.C. 1805);
- xviii. Any amount of crime victim compensation (under the Victims of Crime Act) received through crime victim assistance (or payment or reimbursement of the cost of such assistance) as determined under the Victims of Crime Act because of the commission of a crime against the applicant under the Victims of Crime Act (42 U.S.C. 10602); and
- xix. Allowances, earnings and payments to individuals participating in programs under the Workforce Investment Act of 1998 (29 U.S.C. 2931).
- xx. Earned Income in excess of \$480 for each full-time student 18 years or older.
- xxi. Full amount of student financial assistance.

Adult

An adult is: 18 years of age or older, 18 years of age and married (not common law), or a person that has been relieved of the disability of non-age by juvenile court.

NOTE: *Only persons who are adults shall be eligible to enter into a lease agreement for occupancy.*

Appliances

Appliances are stoves and refrigerators.

Assets

The value of equity in real property, savings, stocks, bonds, checking and other forms of capital investment. The value of necessary items of personal property such as furniture and automobiles is not to be considered as an asset.

Child Care Expenses

Amounts anticipated to be paid by the family for the care of children under **13 years of age** during the period for which Annual Income is computed, but only where such care is necessary to enable a family member to be gainfully employed or to further his or her education and only to the extent such amounts are not reimbursed. The amount deducted shall reflect reasonable charges for child care, and, in the case of child care necessary to permit employment, the amount deducted shall not exceed the amount of income received from such employment. The MHA will not normally determine child care expenses necessary when the household contains an additional unemployed adult who is physically capable of caring for children.

Dependent

A member of the family household (excluding foster children) other than the family head or spouse, who is under 18 years of age or is a Person with Disabilities or Handicapped Person, or is a Full-Time Student. An unborn child shall not be considered a dependent.

Disabled Family

A family whose head or spouse or sole member is a person with disabilities. It may include two or more persons with disabilities living together, and one or more persons with disabilities living with (1) one or more persons who are determined to be essential to the care or well-being of the person or persons with disabilities.

Disabled Person

(See Person with disabilities)

Displaced Person

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

Elderly Family

A family whose head or spouse (or sole member) is an elderly person (a person who is at least 62 years of age). It may include two (2) or more elderly persons living together, with one (1) or more persons living in the unit who are determined to be essential to the care and well-being of the elderly person or persons.

Elderly Person

A person who is at least 62 years of age.

Emancipated Minor

Any juvenile who is 16 years of age or older and who has resided in the same county in the State for six (6) months next preceding the filing of the petition may petition the court in that country for a judicial decree of emancipation. A married juvenile is also emancipated by the same Article (1997, c.815,s.1.).

Enterprise Income Verification (EIV)

Formally known as Upfront Income Verification (UIV). The system electronically utilizes independent sources, such as those maintained by the Social Security Administration, State Wage Information Collection Agencies, and private vendors, to confirm income figures provided at application and re-certification.

Eviction

The dispossession of the resident from the leased unit as a result of the termination of the lease prior to the end of the term, for serious or repeated violations of material terms of the lease or to fulfill the resident's obligations set forth in HUD regulations, Federal, State, or Local Law or for other good cause.

Extremely Low-Income Family

A family whose annual income does not exceed 30% of median income for the area, as determined by HUD, with adjustments for small and large families.

Familial Family

One or more individuals (who have not attained the age of 18 years) being domiciled with (having a permanent residence);

- A. A parent or another person having legal custody of such individual or individuals; or
- B. The designee of such parent or other person having custody, with the written permission of such parent or other person; and includes any person who is pregnant or is in the process of securing legal custody of any individual who has not attained the age of 18 years.

Family

- A. Two or more persons related by blood, marriage or by operation of law, or two or more persons who are not so related but who will live together in a stable relationship and share resources. A family with or without children (the temporary absence of a child from the home in foster care shall not be considered in determining family composition and family size); who live regularly together as a single household in the dwelling unit. By definition, a family must contain a competent adult of at least 18 years of age or 18 years of age and married (not common law) to enter into a contract and capable of functioning as the head of household.
- B. An elderly family;
- C. A near-elderly family;
- D. A disabled family;
- E. A displaced family;
- F. The remaining member of a Resident family; and
- G. A single person who is not elderly or displaced person, or a person with disabilities, or the remaining member of a Resident family.

Note: Housing assistance limitation for single persons. A single person who is not an elderly or displaced person, or a person with disabilities, or the remaining member of a Resident family may not be provided (for Resident-based assistance) housing assistance for which the family unit size exceeds the one bedroom level (ref. 982.207 Housing assistance limitation for single persons, published in the Federal Register on 2/13/96).

The rule does not prohibit a single person from residing in a larger unit (2 or more bedrooms) with the amount of subsidy for a zero or one-bedroom family unit size.

Full-Time Student

A person who is carrying a subject load that is considered full-time for day students under the standards and practices of the educational institution offering a college degree, vocational education degree or certificate program.

Handicapped Assistance Expense

Reasonable expenses that are anticipated, during the period for which Annual Income is computed, for attendant care and auxiliary apparatus for a Handicapped or Disabled family member and that are necessary to enable a family member (including the Handicapped or Disabled member) to be employed, provided that the expenses are neither paid to a member of the family or reimbursed by an outside source.

Handicapped Person (See Person with disabilities)

Head of Household

Head of Household means the adult member of the family who is held primarily responsible and accountable for the family, particularly in regard to lease obligations.

Homeless Family

Any individual or family who:

1. Lacks a fixed, regular, and adequate nighttime residence; and
2. Has primary nighttime residence that is:
 - A. A supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill);
 - B. An institution that provides a temporary residence for individuals intended to be institutionalized; or
 - C. A public or private place not designed for or ordinarily used as, a regular sleeping accommodation for human beings.

Income for Eligibility

“Income for Eligibility” for purposes of determining eligibility for statistical reporting, means “Annual Income.”

1. Developments available for occupancy before 10/01/81 - Income for eligibility shall not exceed the “Lower Income” limits.
2. Developments available for occupancy on or after 10/01/81 - Income for eligibility shall not exceed the “Very Low Income” limits.

Income for Rent

For the purpose of determining rents and for statistical reporting means adjusted income: except that Annual Income is to be used in determining the 10 percent minimum rent.

Lease

A written or oral agreement for the use or possession of premises

Lessee

Any person who leases premises from another, and any person residing on the premises with the lessee's permission.

Live-In Aide

A person who resides with an Elderly, Disabled, or Handicapped person or persons and who:

1. Is determined by the MHA to be essential to the care and well-being of the person(s);
2. Is not obligated for support of the person(s); and
3. Would not be living in the unit except to provide supportive services.

Low Income Family

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

Medical Expenses

Medical expenses, including medical insurance premiums that are anticipated during the period for which Annual Income is computed, and that are not covered by insurance. Medical expenses, in excess of 3% of Annual Income, are deductible from annual income for elderly families and handicapped assistance expense as outlined.

Military Service

Military service means the active military service of the United States, which includes the Army, Navy, Air Force, Marine Corps, Coast Guard and since July 29, 1945, the commissioned corps of the United States Public Health Service.

Minor

A "minor" is a person less than eighteen years of age. (An unborn child may not be counted as a minor but is counted for eligibility of a single, pregnant female.)

Monthly Adjusted Income

One-twelfth of Adjusted Income.

Monthly Income

One-twelfth of Annual Income. For purposes of determining priorities based on an applicant's rent as a percentage of monthly income.

Near Elderly Family

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

Neighborhood or Community

Any lower income Public Housing site as established in a development program, except that when sites are adjacent or within a block of each other, such sites collectively shall be considered one location.

Net Family Assets

Net cash value after deducting reasonable costs that would be incurred in disposing of real property, savings, stocks, bonds, and other forms of capital investments, excluding interests in Indian trust land and excluding equity accounts in HUD ownership programs. The value of necessary items of personal property such as furniture and automobiles shall be excluded. (In cases where a trust fund has been established and the trust is not revocable by, or under the control of, any member of the family or household, the value of the trust fund will not be considered as an asset so long as the fund continues to be held in trust. Any income distributed from the trust fund shall be counted when determining Annual Income.) In determining Net Family Assets, the MHA shall include the value of any assets disposed of by an applicant or resident for less than fair market value (including a disposition in trust, but not in a foreclosure or bankruptcy sale) during the two years preceding the date of application for the program or re-examination, as applicable, in excess of the consideration received therefore. In the case of a disposition as part of a separation or divorce settlement, the disposition will not be considered to be for less than fair market value if the applicant or resident received important consideration not measurable in dollar terms.

Person with Disabilities

1. Means a person who
 - a. Has a disability as defined in 42 U.S.C. 423;
 - b. Is determined, pursuant to HUD regulations, to have a physical, mental or emotional impairment that:
 - i. Is expected to be long-continued and of indefinite duration;
 - ii. Substantially impedes his or her ability to live independently, and

- iii. Is of such a nature that such ability to live independently could be improved by more suitable housing conditions; or
 - c. Has a developmental disability as defined in 42 U.S.C. 6001.
2. Does not exclude persons having the disease of acquired immuno-deficiency syndrome or any conditions arising from the etiologic agent for acquired immuno-deficiency syndrome;
3. For purposes of qualifying for low-income housing, does not include a person whose disability is based solely on any drug or alcohol dependence; and;
4. Means "individual with handicaps", as defined in §8.3 of this title in the Federal Register/Vol 65, No. 61/Wednesday, March 29, 2000/Rules and Regulations, for purposes of reasonable accommodation and program accessibility for persons with disabilities.

Public Housing Agency (PHA)

Any State, County, municipality or other government entity or public body (or agency or instrumentality thereof) that is authorized to engage in or assist in the development or operation of housing for lower income families.

Premises

Land, tenements, condominium or cooperative units, air rights and all other types of real property leased under the terms of a rental agreement, including any facilities and appurtenances, to such premises, and any grounds, areas and facilities held out for the use of tenants generally or the use of which is promised to the tenant. "Premises" include structures, fixed or mobile, temporary or permanent, vessels, mobile trailer homes and vehicles which are used or intended for use primarily as a dwelling or as a place for commercial or industrial operations or storage.

Ranking Applicant Family

Is that eligible family within any particular rent range with the highest priority as defined in this policy, or priority being equal, the earliest date and time of application.

Ranking Rentable Unit

The "ranking rentable unit" is that rentable dwelling unit which is located in the neighborhood having the greatest number of the same bedroom size and type of rentable vacant units.

A "rentable unit" is a vacant unit which has been prepared for occupancy which is not encumbered by an offer which has been made but not yet been accepted or rejected.

Rent

For purposes of determining whether an applicant is entitled to a priority for public housing admission based on current rent as a percentage of monthly income, rent is defined as the actual amount due, calculated on a monthly basis, under a lease or rental agreement between a family and the family's current landlord, plus any monthly payments that a family makes toward resident purchased utilities (except telephone). In calculating a family's payments toward utilities, the MHA will use its reasonable estimate of resident-purchased utilities and other housing services that are normally included in rent; or if the family chooses, the family's average monthly utility costs, based on the family's utility bills furnished by the family, for the most recent 12-month period, or, where bills are not obtainable for the entire period, for an appropriate recent period.

For the purposes of calculating rent under this paragraph, amounts paid to or on behalf of a family under any energy assistance program must be subtracted from the otherwise applicable rental amount to the extent that they are not included in the family's income.

Resident Rent

The amount payable monthly by the Family as rent to the Authority. Where all utilities (except telephone) and other essential housing services are supplied by the MHA, Resident Rent equals Total Tenant Payment. Where some or all utilities (except telephone) and other essential housing services are not supplied by the MHA and the cost thereof is not included in the amount paid as rent, Resident Rent equals Total Payment less the Utility Allowance. (Resident Rent is a term established and defined by 24 CFR [Part 913] and as such, is occasionally awkward in ordinary usage. For this reason, the term "Resident Rent" is used interchangeably with "rent" as defined elsewhere in the Plan to refer to the net monthly payment by the family to the MHA. The only exception is the term "rent" as defined in this policy in reference to admission priorities based on an applicant's rent as a percentage of monthly income).

Single Person

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

Spouse

Spouse means the husband or wife of the head of household.

Standard Permanent Replacement Housing

For purposes of determining if a family is entitled to a priority for admission based on involuntary displacement, Standard Permanent Replacement Housing, is housing that is decent, safe and sanitary, is adequate for the family size, and the family is occupying pursuant to a lease or occupancy agreement, but does not include transient facilities such as motels, hotels or temporary shelters for victims of domestic violence or homeless families, and in the case of domestic violence referred to in the Section above, does not include the housing unit in which the applicant and the applicant's spouse or other member of the household who engages in such violence live.

Total Tenant Payment (TTP)

Total Tenant Payment for families whose initial lease are effective on or after August 1, 1982, shall be the higher of the following, rounded to the nearest dollar:

30 percent of Monthly Adjusted Income; or

10 percent of Monthly Income;

If the family receives Welfare Assistance from a public agency and a part of such payments, adjusted in accordance with the family's actual housing costs, is specifically designated by such agency to meet the family's housing costs, the monthly portion of such payments which is so designated. If the family's Welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under this subsection shall be the amount resulting from one application of the percentage.

Total Tenant Payment does not include charges for excess utility consumption or other miscellaneous charges, such as maintenance charges, late charges, etc.

Upfront Income Verification (UIV)

See Enterprise Income Verification (EIV).

Utility

The provision of general electricity, gas, heating fuel, cooking fuel, water, sewage services and trash collection.

Utility Allowance

The cost of utilities (except telephone) for an assisted unit which are not provided by the landlord but are the responsibility of the family occupying the unit is called a utility allowance. This utility allowance is based upon building type and is determined by number of bedrooms and is equal to the estimate made by the MHA or HUD, of the monthly cost of a reasonable consumption of such utilities for the unit by an energy conservative household of modest circumstances consistent with the requirements of a safe, sanitary, and healthful living environment.

Utility Reimbursement

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

Very Low-income Family

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

Veteran

Any person who has served in the active military or naval services of the United States and shall have been discharged or released there from under conditions other than dishonorable.

Violence Against Women Act (VAWA)

A Public Housing Agency (PHA), owner or landlord may not deny admission to an applicant (male or female) who has been a victim of domestic violence, dating violence or stalking if the applicant otherwise qualifies for assistance or admission.

Welfare Assistance

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

ADMISSION PROCESS

C1.0 Application Taking

The MHA maintains a waiting list for applicants interested in the various public housing programs. All admissions to public housing shall be made on the basis of a pre-application in such form as the MHA shall prescribe. The Application for Admission shall constitute the basic record of each family applying for admission. All supplemental materials pertaining to eligibility shall also be considered a part of the application record and carefully recorded. This includes verification of income and family composition and such other data as may be required. The MHA does not provide emergency housing and cannot modify the order of assignments otherwise prescribed because of emergency considerations.

The following conditions shall govern the taking and processing of applications:

The MHA will not, on account of race, color, creed, religion, familial status, age, handicap, sex or national origin, deny or hinder any applicant family the opportunity to submit an application or lease a dwelling unit suitable to its needs in any of its developments.

The MHA reserves the right to suspend taking applications for its waiting lists when the current supply of applicants exceeds the number of families which could be reasonably expected to be housed within the next eighteen (18) months.

1. All pre-applications must be made by a responsible adult member of the applicant family, who will reside in the household. He/She shall sign the pre-application and certify, subject to civil and criminal penalties, to the accuracy of all statements made therein. The MHA reserves the right to require the signature of any or all adult members of the applicant household.
2. The MHA will normally take applications from a central location, but reserves the right to establish satellite locations for application taking, so long as all processing is done in a central location.
3. The MHA reserves the right to establish times for taking applications, including by appointment. The MHA staff may at its discretion provide for application interviews outside of normal hours when necessary for hardship reasons.
4. Insofar as possible, application interviews shall be conducted in private.

5. In addition to income, family composition and information unique to each applicant, each application shall be hand dated upon time of receipt and the MHA's determination of an applicant's position will be based upon the date/time of receipt and local preferences. All information regarding application and eligibility will be filed and as such, considered part of their permanent record. When the family is eligible, the application shall also record the correct unit size and type; the priority rating; the date, unit location and reason for rejection for any offer refused by the applicant.
6. Applications shall be updated as applicants report changes in income and family circumstances. All such communications from the applicant must be in writing and signed by the applicant. All modifications to applications shall be properly documented on hard copy and to the computer systems and the transaction initialed by the staff member making the change.
7. Every twelve (12) months, the MHA shall purge the application pool of applications no longer actively seeking housing. Normally, this shall be performed by removing applicants from the waiting list who fail to respond to a "still interested" notice mailed to the last known address on the application. It shall be the sole responsibility of the applicant to inform the MHA in writing of changes in address or other family circumstances which might affect the status of the application.
8. The MHA shall maintain such records as are necessary to document the disposition of all applications to meet Department of Housing and Urban Development audit requirements as well as the regulations of North Carolina State agencies.
9. Applicants will have thirty (30) days to provide all necessary information as requested to document their application for eligibility. Failure to provide this information at the end of this period will result in the withdrawal of their application by the MHA.

C2.0 Admissions - Eligibility Criteria

1. All families who are admitted to Public Housing must be individually determined eligible under the terms of the policy. In order to be determined eligible, an applicant must meet **ALL** of the following requirements:
 - A. The applicant family must qualify as a family as defined in B1.0.
 - B. The applicant family's Annual Income as defined (HUD Secretary's definition) must not exceed income limits established by the Department of Housing and Urban Development for Public Housing in the County of this PHA's jurisdiction.
 - C. The applicant family must conform to the Occupancy Standards contained in policy C5.0 regarding unit size and type.

- D. The applicant family must have no record of sexual deviation, include a family member who is subject to a lifetime registration requirement under a state sex offender registration program or any other history which may be reasonably expected to adversely affect:
 - (1) The health, safety, or welfare of other residents;
 - (2) The peaceful enjoyment of the neighborhood by other residents; and/or
 - (3) The physical environment and fiscal stability of the neighborhood.
- E. The applicant family must not have a record of grossly unsanitary or hazardous housekeeping per a check with current and/or previous landlord. This includes the creation of a fire hazard through acts such as the hoarding of rags and papers; severe damage to premises and equipment, if it is established that the family is responsible for the condition; seriously affecting neighbors by causing infestation, foul odors, depositing garbage improperly; or serious neglect of the premises. In a case where a qualified agency is working with the applicant family to improve its housekeeping and the agency reports the applicant family shows potential for improvement, decision as to eligibility shall be reached after referral to and recommendation by the Executive Director or his/her designee. This category does not include applicant families whose housekeeping is found to be superficially unclean or lacks orderliness, where such condition does not create a problem for the neighbors.
- F. The applicant family must have no history of criminal activity which, if continued, could adversely affect the health, safety or welfare of other residents.
- G. The applicant family must be able to demonstrate capacity to discharge all lease obligations. This determination shall be made on a case by case basis and shall not be used to exclude a particular group by age, handicap, etc. in determining the applicant family's capacity to discharge all lease obligations. The MHA must consider the family's ability to secure outside assistance in meeting those obligations.
- H. The MHA shall not deny admission to any applicant on the basis that the applicant is or has been a victim of domestic violence, or stalking if the applicant otherwise qualifies for admission.

- I. HUD regulations prohibit assistance to ineligible family members. A mixed family is a family that includes at least one U.S. citizen or eligible immigrant and any number of ineligible family members. MHA will prorate the assistance provided to a mixed family. MHA will first determine assistance as if all family members were eligible and then prorate the assistance based upon the percentage of family members that actually are eligible.

MHA will grant a temporary deferral of termination of assistance if the family provides documentation of eligible immigrant status and MHA is waiting for US Customs and Immigration Service verification, or if the family is currently participating in the hearing process in reference to their ineligible noncitizen status.

The total deferral period should not exceed 18 months. The initial deferral is granted for a period of 6 months, and renewed for 6 month periods thereafter.

- J. If a prior resident of public housing or other housing programs administered by the MHA, the applicant family must have a satisfactory record in meeting financial and other lease obligations. A former resident who owes a move out balance to the MHA will not be considered for re-admission until the account is paid in full and reasonable assurance is obtained of the applicant's ability to meet his or her rent obligations. In addition, persons evicted from public housing, Indian housing, Section 23, or any Section 8 Housing Choice Voucher program because of drug-related criminal activity, are ineligible for admission to public housing for a five (5) year period beginning on the date of such eviction.
- K. The applicant family must have properly completed all application requirements, including verifications. Misrepresentation of income, family composition or any other information affecting eligibility, rent, unit size, neighborhood assignment, etc., will result in the family being declared ineligible. In the event the misrepresentation is discovered after admission, the family may be subsequently evicted, even if the family meets current eligibility criteria at that time.
 1. Sources of information for eligibility determination may include, but are not limited to, the applicant (by means of interviews or home visits), landlords, employers, family social workers, parole officers, court records, drug treatment centers, clinics, physicians or police departments where warranted by the particular circumstances. Information relative to the acceptance or rejection of an applicant shall be documented in accordance with section C3.0 and placed in the applicant's file. Such documentation may include reports of interviews, letters or written summaries of telephone conversations with reliable sources. At a minimum, such reports shall indicate the date, the source of information, including the name and title of the individual contacted, and a summary of the information received.

2. In the event of the receipt of unfavorable information with respect to an applicant, consideration shall be given to the time, nature, and extent of the applicant's conduct or to factors which might indicate a reasonable probability of favorable future conduct or financial prospects. For example:
 - A. Evidence of rehabilitation;
 - B. Evidence of the applicant family's participation or willingness to participate in social services or other appropriate counseling service programs and the availability of such programs;
 - C. Evidence of the applicant family's willingness to attempt to increase family income and the availability of training or employment programs in the locality;
 - D. In the case of applicants whose capacity for independent living and discharges of lease obligations is in question, the resources actually available in support of the family, such as visiting nurses, homemakers or live-in caretakers.
- L. As a general rule applicants may be denied admission to Public Housing for the following time frames, which shall begin on the date of application, unless otherwise provided for herein below:
 1. Denied admission for three (3) years for the following:

Persons evicted from public housing, Indian Housing, Section 8, or Section 23 programs because of drug-related criminal activity are ineligible for admission to public housing for a three-year period beginning on the date of such eviction.

The MHA can waive this requirement if: the person demonstrates to the MHA's satisfaction successful completion of a rehabilitation program approved by the MHA, or the circumstances leading to the eviction no longer exist.

Demonstrates hostile behavior during the interview process that indicates that the applicant may be a threat to our residents.
 2. Denied admission for five (5) years for the following:
 - a. Fraud (giving false information on the application is considered fraud).
 - b. A conviction record that indicates that the applicant may be a threat and/or negative influence on other residents. The five years shall begin on the date of the last reported act, sentence and/or probation period.

- c. Drug use without evidence of rehabilitation.
 - d. Felony charges.
3. Denied admission for life to any household that includes any individual who is subject to a lifetime registration requirement under a state sex offender registration program.
 4. Denied admission for life to any applicant who has been convicted of manufacturing or producing methamphetamine (commonly referred to as “speed”) on the premises of the public housing project. Premises is defined as the building or complex in which the dwelling unit is located, including common areas and grounds.

However the MHA will permanently prohibit admission of any person convicted for the manufacture or production of methamphetamine on the premises of **any** federally assisted housing program.

C3.0 Verification of Income and Circumstances

MHA utilizes the Enterprise Income Verification (EIV) system (formally UIV) to validate income information reported by participants. The EIV system electronically utilizes independent sources, such as those maintained by the Social Security Administration, State Wage Information Collection Agencies, and private vendors, to confirm income figures provided at application and re-certification. Knowingly underreporting income may result in the assessment of back charges, termination of assistance, and/or prosecution through the District Attorney’s office.

No applicant family shall be admitted to public housing without thorough verification of income, family composition and all other factors pertaining to the applicant’s eligibility, rent, unit size and type, priority rating, etc. The same types of verifications are required to process any interim or regular re-examination for public housing residents. Complete and accurate verification documentation shall be maintained for each applicant and resident. Such documentation may include, but is not limited to, the following:

1. Letters or other statements from employers and other pertinent sources giving authoritative information concerning all items and amounts of income and deduction, together with other eligibility and preference determinations.
2. Verification forms supplied by the Authority and returned properly completed by employers, public welfare agencies, etc.
3. Originals, photocopies, or carbon copies of documents in the applicant’s possession which substantiates his/her statements, or a brief summary of pertinent contents of such documents signed and dated by the staff member who viewed them.

4. Statements from self-employed persons, and from persons whose earnings are irregular, such as salesmen, etc., sworn to before a Notary, setting forth gross receipts, itemized expenses and net income (expenses incurred for business expansion or amortization of capital indebtedness are to be included in net income).
5. Memoranda of verification data obtained by personal interview, home visit, telephone, or other means, with source, date received, name and title of person receiving the information clearly indicated, and a summary of information received.
6. Certified birth certificates, or other substantial proof of age, to support claims to the various entitlements in these policies for each member of the household.
7. Verification of evidence of citizenship and/or eligible immigration status or a citizen of the Republic of Marshall Islands, the Federated States of Micronesia, or the Republic of Palau. However people in the last category are not entitled to housing assistance in preference to any United States citizen or national resident within Guam.
8. Social Security Card or legal documents verifying the Social Security number for the applicant and each member of the applicant's household who is at least six (6) years old. (If the applicant cannot provide the proper documentation requirements he/she must submit to the Authority the individual's SSN(s) and a certification executed by the individual that the SSN(s) submitted has been assigned to the individual, but that acceptable documentation to verify the SSN(s) cannot be provided).
9. Proof of disability, or of physical impairment, if necessary to determine the applicant's eligibility as a family or entitlement consideration under the criteria established in these policies, provided in written form by the appropriate government agency.
10. Statements from landlords, family social workers, parole officers, court records, drug treatment centers, clinics, physicians, or police departments, where warranted in individual cases.
11. Receipts for utility services.
12. In addition to such other verification as the MHA may require, verification that an applicant is living in substandard housing shall consist of a written statement or notice from a unit or agency of government or from an applicant's present landlord that the applicant's unit has one or more of the deficiencies listed in, or the unit's condition is as described in, the definition of Substandard Housing.

In the case of a homeless family, verification consists of certification, in a form prescribed by the Secretary of the Department of Housing and Urban Development or as developed by the MHA, of this status from a public or private facility that provides shelter for such individuals, or from the local police department or social services agency.

13. The MHA shall require the family head, head of household, members 18 years or older, or legally appointed designee to execute a HUD-approved release and consent authorizing any depository or private source of income, or any Federal, State, or local agency to furnish or release to the MHA and to HUD such information as the MHA or HUD determines to be necessary.

Because eligibility for Federal housing assistance is not based on a “declaration system” but upon verification of actual income and family circumstances, the MHA is not limited to verification of data supplied by applicants or residents. Failure of an applicant to cooperate with the MHA in obtaining verifications will result in the application being declared incomplete and inactive. A resident who fails to cooperate or to release information may be evicted. In addition, interim rent reductions will not be made for residents until after receipt of all required verifications. In consideration of the privacy rights of residents and applicants, the MHA shall restrict its requests to those matters of income, family composition and other family circumstances which are related to eligibility, rent, unit size and type, admission priority rating, or other lawful determinations made by the MHA. If the verified data as listed in this policy are not more than one hundred and twenty (120) days old at the time an applicant is selected for admission, the data will be considered as reflecting the applicant’s family’s status at the time of admission.

(Refer to Appendix A for complete discussion of verification process).

14. In addition to such other verification the MHA will conduct an (EIV) Existing Tenant Search to verify if applicant is an existing tenant at another housing facility.

C4.0 Determination and Notification of Eligibility

As soon as possible after receipt of an application, the MHA will determine the applicant family’s eligibility for public housing in accordance with the provisions of C2.0 and send a letter signifying the status of the applicant. In the event an applicant family is determined to be eligible, it shall be informed of the time estimated before an offer of a dwelling unit will be made. If this period is estimated to be longer than one year, the applicant family shall be informed of this fact in addition to its place on the current waiting list. In the event an applicant family is determined to be ineligible, it shall also be informed in writing of the basis for this determination. An applicant family does not have the right to use the Resident Grievance Procedure, but will be given, upon request, the opportunity for an Informal Hearing to present such facts as it wishes. In circumstances when waiting lists are very long, thorough investigation of each application may not be practical until such application approaches selection. In such cases, apparently eligible applicant families will be notified of its eligibility determination is tentative in nature, being largely based on declarations made by the applicant family, and is subject to further reviews prior to admission. In all cases, the MHA reserves the right to withdraw any determination of eligibility, tentative or otherwise, when additional information indicates that the prior determination was inappropriate.

C4.1 Notification Procedure

Upon completion of the application, a prompt decision of initial eligibility or ineligibility will be made, and the appropriate notification mailed to the applicant.

Eligible Applicants

All applicants will be notified in writing of initial eligibility and the basis of that determination. The notification will include client number, application status, program and unit size.

A redetermination of eligibility and suitability will be undertaken prior to the offer of a dwelling unit.

Ineligible Applicants

All applicants will be notified in writing of initial ineligibility and the basis of that determination. The notification will include client number, application status, and reason for ineligibility.

Any applicant notified of his/her initial ineligibility will be afforded the right to resubmit information that may result in the applicant being redetermined initially eligible.

C5.0 Occupancy Standards

To avoid overcrowding and prevent wasted space, units are to be leased in accordance with the occupancy standards set forth below. If there should be a dwelling unit which cannot be filled with a family of appropriate size, after all possible efforts have been made to stimulate applications, a family eligible for the next smaller size unit may be offered this unit. This shall be with the understanding that the family is subject to later transfer to a unit of the proper size.

The head of household and co-resident are usually assigned a separate bedroom.

Family members are generally assigned to bedrooms on the basis of two of the same sex per bedroom or of opposite sex up to the age of six (6).

MHA may allow a child less than three (3) years of age to share a bedroom with a parent(s).

MHA will treat a single pregnant woman as a two-person family.

MHA, at its sole discretion, may assign a separate bedroom to any family member with a documented medical need.

The MHA will also assign units based on the type of unit needed by the individual applicant or applicant family. This refers to the family's ability to use stairs or their status as an elderly family.

Residents should not be assigned to bedroom sizes outside of the minimum and maximum constraints listed below and in addition, any "single person" shall not be assigned a unit with two or more bedrooms:

Number of Bedrooms	Number of Persons	
	Min	Max
0	1	1
1	1	2
2	2	4
3	3	6
4	4	8
5	5	10

These standards regarding the minimum and maximum number of persons who will occupy a unit will be applied within the restraints of financial solvency and program stability.

The MHA reserves the right to over house in its conventional public housing programs in an effort to correct unacceptably high vacancy rates. An unacceptably high vacancy rate is when a development or the MHA wide vacancy rate is 2% or more. Families placed into larger than needed units will sign a waiver agreeing to be transferred to a smaller, but appropriate sized unit, should the larger unit be needed in the future by an applicant family or a Resident family.

When it is found that the size of the dwelling is no longer suitable for the family in accordance with these standards, the family will be required to move as soon as a dwelling of appropriate size becomes available. These families will be transferred in accordance with the Transfer Policy.

C6.0 Income Targeting and Deconcentration

1. Objective:

The MHA shall make every effort possible to provide for deconcentration of poverty and income mixing in its communities by bringing higher income residents into lower income developments and lower income residents into higher income developments.

To this extent the MHA shall insure that not less than forty percent (40%) of all new admissions shall be families whose income at the time of their admission does not exceed thirty percent (30%) the area's median income.

The MHA does not intend to utilize and/or impose any specific income or racial quotas nor will the MHA offer incentives for eligible families to occupy units in developments predominately occupied by families having either lower or higher incomes.

2. MHA Deconcentration Policy:

It is the policy of the Monroe Housing Authority (MHA) to house families in a manner that will prevent a concentration of poverty families and/or concentration of higher income families in any one development. The specific objective of the MHA is to house no less than 40% of its inventory with families that have income at or below 30% of the area median income by public housing development. Also the MHA will take actions to insure that no individual development has a concentration of higher income families in one or more of the developments. To insure that the MHA does not concentrate families with higher income levels, it is the goal of the MHA not to house more than 60% of its units in any one development with families whose income exceeds 30% of the area median income. The MHA will track the status of family income, by development, on a monthly basis by utilizing income reports generated by the MHA.

To accomplish the deconcentration goals the MHA will take the following actions:

- A. At the beginning of each fiscal year, the MHA will establish a goal for housing 40% of its new admissions with families whose incomes are at or below the area median income. The annual goal will be calculated by taking 40% of the total number of move-ins from the previous fiscal year.
- B. To accomplish the goals of:
 1. Housing not less than 40% of its inventory on an annual basis with families that have incomes at or below 30% of area median income, and
 2. Not housing families with incomes that exceed 30% of the area median income in developments that have 60% or more of the total household living the development with incomes that exceed 30% of the area median income, the MHA's Resident Selection and Assignment Plan, which is a part of this policy, provides for the utilization of local preferences with regards to applicant selection from its waiting list.

C7.0 Applicant Selection and Assignment Plan

C7.1 Application Ranking

Applications will be filed and selected in the following order:

1. By date and time of application.
2. Families who qualify for a local preference. All preferences shall receive one point. Families receive a point for each verified preference. Families who qualify for a local preference are those whose head of household or spouse are:
 - a. Elderly, Disabled or Handicapped;
 - b. Families with any adult working in the household;
 - c. Families whose head or spouse is a veteran or is in the service of the United States of America.
 - d. Displaced by a declared Natural Disaster such as flood, hurricane, earthquake, etc., or governmental action through no fault of their own.

C7.2 Applicant Assignment

Selection of applicant families for making offers of dwelling units shall be performed by matching the ranking unit to the applicant as follows:

1. The "ranking rentable unit" is that rentable dwelling unit which is located in the neighborhood having the greatest number of the same bedroom size and type of rentable vacant units.

A "rentable unit" is a vacant unit which has been prepared for re-occupancy, and which is not encumbered by an offer which has been made but not yet accepted or rejected.
2. The "ranking applicant family" is that eligible family with the earliest date and time of application and greatest number of local preferences.

C7.3 Dwelling Unit Offers

When the ranking applicant is matched to the specific ranking unit, that dwelling unit becomes "unrentable" until the offer made is accepted or rejected. In order to reduce vacancy loss, it is necessary that processing from this point move as quickly as possible. To that end, the following conditions shall apply to dwelling unit offers:

1. As an application nears the top of the waiting list, the MHA will contact the applicant family to determine continued interest, to update the application for final processing, to alert the applicant that an offer is likely in the near future, and to inform the applicant about requirements for move-in, such as utility company verifications, security deposits, etc. For an applicant on a short waiting list, the steps enumerated above may be included in the process of taking the complete application.
2. Upon receipt of the initial offering, the applicant shall have three business days to accept or reject the housing unit. Failure to give an answer within the prescribed time period shall be counted as rejection of the offer. Failure to respond to an offer will result in a withdrawal of the offer and the applicant will be removed from the waiting list.
3. Upon acceptance of the offer, the applicant will then be assigned a deadline for move-in. Before the end of this period, the applicant must complete all outstanding pre-occupancy requirements, such as joint unit inspection, establishment of utility services, leasing interview, and lease execution. Normally, this deadline will be within three working days of acceptance of the offer, but may be extended a maximum of five additional days at the discretion of the Authority when necessary to alleviate hardship. Failure to complete move-in requirements within the assigned period will result in withdrawal of the offer and inactivation of the application.

The family will pay a security deposit at the time of lease signing. The security deposit equal to:

A.	Grace Gardens, West Ridge, Willow Oaks	\$350.00
B.	Serenity Place	\$200.00

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

4. The MHA only has a certain number of housing units modified for Handicapped Accessibility. When an accessible housing unit becomes available, before the unit is offered to a non-handicapped applicant, the MHA must first offer it to an existing resident having a handicap and occupying a non-accessible housing unit. If no such resident exists, the housing unit must be offered to an applicant on the waiting list having a handicap requiring those features. If the accessible unit must be offered to an applicant who does not (nor does any family member) have an impairment, the MHA may require the applicant to agree to move to a non-accessible unit when such a unit is available.

C7.4 Unit Refusals

When an applicant refuses an offer of a housing unit, the application shall be returned to the waiting list, being assigned (for processing purposes only) the lowest priority and an application date and time which correspond to the date of the refusal. Upon return to the top of the waiting list, such an applicant would be made an offer in accordance with the provisions of this policy. Upon refusal of the second such offer, including any in neighborhoods previously refused, the application shall be removed from the waiting list and classified as inactive for a period of twelve months.

If the applicant is willing to accept the unit offered but is unable to move at the time of the offer and presents clear evidence of his/her inability to move to the MHA's satisfaction, refusal of the offer shall not count as one of the number of allowable refusals permitted the applicant before placing his/her name at the bottom of the eligible applicant list, or placing the application in the inactive status.

If an applicant presents, to the satisfaction of the MHA, clear evidence that acceptance of a given offer of a suitable vacancy will result in undue hardship or handicap not related to considerations of race, color, creed, age, handicap, familial status or national origin, such as inaccessibility to source of employment, children's day care and the like, refusal of such an offer shall not be counted as one of the allowable refusals permitted the applicant before placing his/her name at the bottom of the eligible list or placing the application in the inactive status.

C8.0 Leasing of Dwelling Units

The head of household of each family accepted as a resident is required to execute a lease agreement in such form as the MHA shall require prior to actual admission. All remaining adult members who are 18 years of age or older of the household are also required to sign the lease. One copy of the lease will be given to the lessee and the original will be filed as part of the permanent records established for the family in the MHA's Central Office.

Each lease shall specify the unit to be occupied, the date of admission, the size of the unit to be occupied, all family members who will live in the unit, the rent to be charged, the date rent is due and payable, other charges under the lease, and the terms of occupancy. It shall be explained in detail to the head of household and other adult members before execution of the lease.

The lease shall be kept current at all times. If a resident family transfers to a different unit in the same or another MHA community, the existing lease will be canceled. A new lease will be executed for the unit to which the family is to move by the head of household. If any other change in the resident's status results in the need to change or amend any provisions of the lease, or if the MHA desires to waive a provision with respect to the resident, (1) the existing lease is to be canceled and a new lease executed, or (2) an appropriate rider is to be prepared and executed and made a part of the existing lease.

Certain documents are made a part of the dwelling lease by reference. These include, but are not limited to, the Admission and Continued Occupancy Policy (the Plan), and the posted Resident Rules and Regulations.

Cancellation of a resident's lease is to be in accordance with the provisions of the lease. Generally, the lease shall not be canceled or not renewed except for serious or repeated violations of its terms by the resident. Written records shall be maintained containing the pertinent details of each eviction.

C9.0 Admission of Additional Members to A Current Household

1. Purpose - Population in excess of the number of persons for which a neighborhood or unit was designed is often the cause of many serious management problems including crime, vandalism, excessive maintenance costs, and low resident satisfaction. It is with this in mind that this section of the Plan is established. The purpose is not to establish an alternate means of Admissions.
2. Application Procedure - The resident of a household that wishes to add additional members with the exception of a new born child to their household must first submit a written application, in the form prescribed by management, for approval by the Executive Director or his/her designee.
3. Eligibility Criteria
 - A. All new member(s) must be determined eligible in accordance with Section C2.0 eligibility criteria.
 - B. The unit in which new members are requesting admission shall not be overcrowded and shall be maintained in accordance with the Section C5.0, Occupancy Standards.

4. Application Denial - The MHA may deny the application for inclusion of additional family member for any of the following reasons:
 - A. The dwelling unit would be overcrowded or would exceed the Occupancy Standards as outlined in Section C5.0.
 - B. Additional members are not related to resident by blood, family make-up, marriage or legal adoption.
 - C. Additional members are prior Residents with balances owed.
 - D. Additional members are prior Residents who have been evicted for criminal or illegal activities.
 - E. Additional members are registered sex offenders.
 - F. Other reasons as determined from time to time by the Executive Director.
5. Additional members which do not require approval of the MHA. The MHA shall not deny approval for any of the following:
 - A. Newborn infants of members currently on the lease.
 - B. Minor children of members currently on the lease who were removed from their care by court action and are being returned.
6. Examples of situations where the addition of a family or household member is subject to screening are:
 - A. Resident plans to be married and files a request to add the new spouse to the lease;
 - B. Resident is awarded custody of a child over the age which juvenile justice records are available;
 - C. Resident desires to add a new family member to the lease, employ a live-in aide, or take in foster child(ren).
 - D. A unit is occupied by a remaining family member (s) under age 18 (who is not an emancipated minor) and an adult, not part of the original household, requests permission to take over as the head of household.
7. Residents who fail to notify the MHA of additions to the household or who permit persons to join the household without undergoing screening are in violation of the lease. Such persons will be considered unauthorized occupants by MHA and the entire household will be subject to eviction.

8. Visitors may be permitted in a dwelling unit so long as the visitors have no previous history of behavior on MHA premises that would be a lease violation. Visits of less than three (3) days need not be reported or approved by the Manager. Visits of more than three (3) and less than ten (10) days are permitted provided they are reported to the Manager within 72 hours and authorized by the Manager. Visits of more than fourteen (14) calendar days shall be authorized only by the Executive Director with advance documentation of extenuating circumstances. Visitors remaining beyond this period shall be considered trespassers and the head of household shall be guilty of a breach of the lease.
9. In accordance with the lease, roomers and lodgers shall not be permitted to occupy a dwelling unit, nor shall they be permitted to move in with family occupying a dwelling unit. Violation of this provision is grounds for termination of the lease.
10. Resident will not be given permission to allow former residents of MHA who has been evicted to occupy the unit for any period of time. Violation of this is grounds for termination of lease.
11. Family members over the age of 17 or emancipated minors who move from the dwelling unit to establish new households shall be removed from the lease. The resident has the responsibility to report the move-out within thirty (30) calendar days of its occurrence.

These individuals may not be re-admitted to the unit and must apply as a new applicant household for placement on the waiting list (subject to applicable income limits, preferences, resident selection, and screening requirements). Medical hardship or other extenuating circumstances shall be considered by MHA in making determinations under this paragraph.

C10.0 Rent Rules

MHA general rent calculation is 30% of a residents' gross income, with minor income adjustment or 10% of the family's monthly income or the welfare rent. However, the MHA in an effort to encourage self-sufficiency and quality of life improvement has expanded its rent rules to include the following:

1. Minimum Rent

MHA's minimum rent is 50.00 excluding utilities.

There are exemptions from the payment of the minimum rent and those financial hardship circumstances are:

- ✚ The family has lost eligibility for, or is awaiting an eligibility determination for, a federal, state or local assistance program.

- ✚ The family would be evicted as a result of the imposition of the minimum rent requirements.
- ✚ The income of the family has decreased because of changed circumstances, including the loss of employment.
- ✚ A death in the family.
- ✚ Other situations as may be determined by the MHA.

In addition, if a resident requests a hardship exemption and the Authority determines the hardship to be of a “temporary nature”, the exemption shall not be granted for 90 days. The resident **cannot** be evicted during this 90-day period for non-payment of rent. If the resident can demonstrate that the hardship is long-term, then the Authority must retroactively exempt the resident from the minimum rent for the initial 90 day period.

2. Market Value Flat Rents

- A. The flat rent is based on the market rent charged for comparable units in the private unassisted rental market. It is equal to the estimated rent for which the MHA could promptly lease the public housing unit after preparation for occupancy.
- B. The MHA must use a reasonable method to determine the flat rent for a unit. To determine the flat rent, the MHA must consider:
 - i. The location, quality, size, unit type and age of the unit; and
 - ii. Any amenities, housing services, maintenance and utilities provided by the MHA.
- C. The flat rent is designed to encourage self-sufficiency and to avoid creating disincentives for continued residency by families who are attempting to become economically self-sufficient.
- D. If the family chooses to pay a flat rent, the MHA does not pay any utility reimbursement. The flat rent option may be exercised by the family at the time of lease-up or annual re-examination.
- E. The MHA must maintain records that document the method used to determine flat rents, and also show how flat rents are determined by the MHA in accordance with this method, and document flat rents offered to families under this method.

3. Choice of Rental Payment

A family shall have the opportunity annually at their re-exam to elect a market value flat rent or an income-based rent. The family can switch to an income-based rent during the year only with the permission of the MHA.

The MHA will provide the family with the opportunity to immediately switch to the income-based rent because of the following financial hardships:

- ✚ Income of the family has decreased because of a change in circumstances, loss or reduction of employment, death in the family which resulted in the reduction of or loss of income or other assistance.
- ✚ An increase in the family's expenses for medical costs, child care, transportation, education or similar items.
- ✚ Such other circumstances as may be determined by the Authority.

4. Earned Income Disregard

Any family whose income increases from new or greater employment will be disregarded for 12 months from the date of the income increase. The rent increase will then be phased in over a two-year period after the initial 12 months disregard and no more than a 50% increase can be applied to the rent calculation in either year. The disallowance of increased income for an individual family member is limited to a life-time 48 month period.

The earned income disregard applies to the following family members:

- ✚ A family member whose earned income increases during a family self-sufficiency or other job training program.
- ✚ A family member who, during the previous 6 months, was assisted under any State Temporary Assistance to Needy Families Program (TANF).
- ✚ A family member who becomes employed after being unemployed for at least one year.

5. Loss of Income from Welfare Work-Related Sanctions

If state or local public assistance benefits are decreased because of any failure of any member of the family to comply with the conditions under the assistance program requiring participation in an economic self-sufficiency program or imposing a work activities requirement, the resulting loss of income shall not be entitled to a rent reduction.

C11.0 Inspections

An authorized representative of the Housing Authority and an adult family member will inspect the premises prior to commencement of occupancy. A written statement of the condition of the premises will be made, all equipment will be provided, and the statement will be signed by both parties with a copy retained in the Housing Authority file and a copy given to the family member. An authorized Housing Authority representative will inspect the premises at the time the resident vacates and will furnish a statement of any charges to be made provided the resident turns in the proper notice under State law. The resident's security deposit can be used to offset against any resident damages to the unit.

C11.1 Move-In Inspections

The Housing Authority and an adult member of the family will inspect the unit prior to signing the lease. Both parties will sign a written statement of the condition of the unit. A copy of the signed inspection will be given to the family and the original will be placed in the resident file.

C11.2 Annual Inspections

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

C11.3 Preventive Maintenance Inspections

This is generally conducted along with the annual inspection. This inspection is intended to keep items in good repair. It checks weatherization; checks the condition of the smoke detectors, water heaters, furnaces, automatic thermostats and water temperatures; checks for leaks and provide other minor servicing that extends the life of the unit and its equipment.

C11.4 Special Inspections

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

C11.5 Housekeeping Inspections

The Housing Authority will conduct housekeeping inspections to ensure the family is maintaining the unit in a safe and sanitary condition. Units that fail housekeeping inspections will be placed on probation, offered housekeeping training and scheduled for re-inspection. Two consecutive failed inspections may be grounds for termination.

C11.6 Notice Of Inspection

For inspections defined as annual inspections, preventive maintenance inspections, special inspections, and housekeeping inspections the Housing Authority will give the resident at least two (2) days written notice.

C11.7 Emergency Inspections

If any employee and/or agent of the Housing Authority has reason to believe that an emergency exists within the housing unit, the unit can be entered without notice. The person(s) that enters the unit will leave a written notice to the resident that indicates the date and time the unit was entered and the reason why it was necessary to enter the unit.

C11.8 Pre-Move-Out Inspections

When a resident gives notice that they intend to move, the Monroe Housing Authority will offer to schedule a pre-move-out inspection with the family. The inspection allows the Housing Authority to help the family identify any problems which, if left uncorrected, could lead to vacate charges. This inspection is a courtesy to the family and has been found to be helpful both in reducing costs to the family and in enabling the Housing Authority to ready units more quickly for the future occupants.

C11.9 Move-Out Inspections

The Housing Authority conducts the move-out inspection after the resident vacates to assess the condition of the unit and determine responsibility for any needed repairs. When possible, the resident is notified of the inspection and is encouraged to be present. This inspection becomes the basis for any claims that may be assessed against the security deposit.

C12.0 Approval Process for Residents Requesting Permission to Operate a Business in the Unit

Prior to making a determination, the resident shall request the MHA's permission in writing and include in the request a complete outline of business activities and other data as may be requested by the MHA. When a resident desires to operate a legal profit making business from the leased unit, the MHA shall use the following factors in determining whether or not such activities are incidental to the primary use of the leased unit.

- A. Local building health codes, requirements for license or governmental approval.
- B. Local zoning ordinances.
- C. The effect on MHA insurance coverage.
- D. Utility consumption.
- E. Possible damage to the leased unit.

- F. Estimated traffic and parking.
- G. Disturbance of other residents.
- H. Attraction of non-residents to the neighborhoods.
- I. Possible use of resident business as a cover for drug-related activities.
- J. Rental Insurance with \$100,000 Liability Clause

In addition, the MHA shall take into consideration the many benefits to be found in small-scale in-home businesses such as; supplying necessary services to the developments; opportunities for individual economic and personal development; increased feeling of self-worth and a positive sense of community; and potential increased resident income.

C13.0 Occupancy by Police Officers

The MHA has elected to lease units to police officers in any development in which MHA management has determined that such occupancy will enhance security of said development and the residents that reside therein. Under the above circumstances the police officer would receive a local preference and a rent calculation for utilities only. This information is included in the MHA's annual plan.

Police Officer means a person employed on a full-time basis as a duly licensed professional police officer by a Federal, State or Local government or by an agency of these governments.

CONTINUED OCCUPANCY

D1.0 Eligibility for Continued Occupancy

Eligibility for continued occupancy in the MHA communities for only those residents:

1. Who qualify as a family as defined by Federal requirements and this policy (see definition in B1.0).
2. Who conform to the Occupancy Standard established for lower income housing. (see C5.0).
3. Whose past performance in meeting financial obligations, especially rent, and other charges, is satisfactory.
4. Whose family does not have a record of disturbance of neighbors, destruction of property, unsafe living habits, unsanitary housekeeping practices, substance abuse, sexual deviation, or any other history which may be reasonably expected to adversely affect:
 - A. The health, safety, or welfare of other residents.
 - B. The peaceful enjoyment of the neighborhood by other residents.
 - C. The physical environment and fiscal stability of the neighborhood.
5. Whose family does not have a record of grossly unsanitary or hazardous housekeeping. This includes the creation of fire hazards through acts such as the hoarding of rags and papers; severe damage to premises and equipment, if it is established that the family is responsible for the condition; seriously affecting neighbors by causing infestation, foul odors, depositing garbage improperly; or serious neglect of the premises. In cases where a qualified agency is working with the family to improve its housekeeping and the agency reports that the family shows potential for improvement, a decision as to the eligibility shall be reached after a referral with the Executive Director or his/her designee. This category does not include families whose housekeeping is found to be superficially unclean or lacks orderliness, where such conditions do not create a problem for the neighbors.
6. Who do not have a history of criminal activity which, if continued, could adversely affect the health, safety, or welfare of other residents and who have not been arrested for drug or felony charges in the last five (5) years.
7. Who continue to occupy the housing unit on a full time basis. Ownership or occupancy of another dwelling unit or failure to occupy the unit for a period greater than thirty (30) days shall be grounds for termination of the lease.

8. Who are, with the aid of assistance that is available to the family, physically and mentally able to care for themselves and their housing unit and to discharge all lease obligations. A person or persons remaining as a resident of a family may be permitted to remain in occupancy provided that the MHA, in its sole judgment, determines that the remaining person(s) is/are:
 - A. Otherwise eligible for continued occupancy;
 - B. Capable of carrying out all lease obligations including but not limited to rent payment, care of the housing unit, and proper conduct;
 - C. Willing to assume all lease obligations of the prior leaseholder, including all payments under the lease; and/or
 - D. Legally competent to execute a lease in his/her own name. The MHA will not execute a lease with a minor.
9. Who have complied with the community work requirement of 8 hours of community service per month or participated in an economic self-sufficiency program for 8 hours per month.

Exemptions exist for any family member who is:

- ✦ 62 years of age or older
- ✦ Is blind or disabled and is unable to comply or is a primary caretaker of such an individual.
- ✦ Any adult in a family receiving TANF or other state welfare assistance, including state welfare assistance, including a state welfare-to-work program.
- ✦ Any adult who meets a state welfare program's criterion for exemption from work requirements.

D2.0 Re-Examination

Re-examinations of income and family circumstances are conducted for the following purposes:

1. To comply with the Federal and State requirements relating to annual re-examinations.
2. To determine if each family remains eligible for continued occupancy under the terms of the lease and this policy.
3. To determine if the unit size and type is still appropriate to the family's needs and in compliance with the Occupancy Standards (C5.0).

4. To establish the Total Tenant Payment and the Resident Rent to be charged to the family (C10.0).
5. Interim re-examination shall be conducted within 30 days of a change in income or family composition. It is the family's responsibility to initiate the process.
6. Interim re-examination is required for the following: transfers; interim rent adjustments; changes in names of head of household or other adult members in the household; and in other special circumstances that affect family composition or income.

D2.1 Annual Re-Examinations

Annual re-examinations are necessary to comply with the Federal requirement that each family have its eligibility re-examined at least every twelve (12) months. Residents will be notified in writing of the requirements for re-examination in sufficient time to allow for the complete processing and verification of data. Failure to complete re-examination is a serious lease violation which will result in the termination of tenancy. Failure to complete re-examination includes:

1. Failure to appear for a scheduled re-certification interview without making prior alternative arrangements with the MHA.
2. Failure to supply or cooperate in the verification process pertaining to income, family composition and eligibility.
3. Refusal to properly execute required documents.
4. Noncompliance for non-exempt members of a household with the community service requirement. However, the MHA will permit the noncompliant family to cure the noncompliance with a signed agreement to make up the hours needed during the next 12 month period. Continued noncompliance shall result in eviction of the entire family unless the noncompliant family member is no longer a part of the household.

D2.2 Special Re-Examinations

If at the time of admission, annual re-examination or interim re-examination, it is not possible to make an estimate of the Family Income with any reasonable degree of accuracy because:

1. Family member(s) are unemployed and there are not anticipated prospects of employment; or
2. The conditions of employment and/or income are so unstable as to invalidate usual and normal standards of determination.

3. Special Re-examinations will be conducted every 90 days until stable income is established.

Then a special re-examination will be scheduled on a date determined by the MHA's estimate of the time required for the family's circumstances to stabilize. If at the time of the scheduled special re-examination, it is still not possible to make a reasonable estimate of Family Income, special re-examinations will continue to be scheduled until such time as a reasonable estimate of Family Income can be made and the re-examination completed. The special re-examinations are not to replace the annual re-examination (C10.0).

D2.3 Interim Re-Examinations

Interim re-examinations are performed to allow residents to comply with the dwelling lease requirements to report changes in income and family circumstances. The following are specific changes which must be reported in writing within thirty (30) days of their occurrence. No adjustment of rent either upward or downward is to be made except at the time of a regular or special re-examination unless The following are specific changes which must be reported in writing within ten (10) days of their occurrence.

1. There is a change in family composition. (Additions to the family, other than through birth of a child to a family member on the lease, must be approved by Management in advance as established in this policy);
2. There is a new source of family income. Changes in family income resulting from increases or periodic increases in government benefits do not have to be reported to on-site Management until annual re-examination, unless the amount of increase is equal to or greater than \$40 per month. However, a family who has had an income reduction between annual re-examinations must report all changes in income regardless of the amount or source within ten (10) days of their occurrence;
3. A hardship occurs. (A hardship is interpreted to mean the occurrence of a situation which would warrant a reduction in rent based on the current definition in income and maximum rent-to-income ratio.) (C10.0); and/or
4. There is a need to correct an error. (The rent increase or decrease will be made as appropriate based on the circumstances.)

Rent increases shall be made effective the first day of the second month following the month in which the change actually occurred, after having given the resident a written thirty (30) day notice.

Rent decreases resulting from changes specified in items 1, 2, and 3 above shall be made effective the first day of the month following the month in which the change was **REPORTED** in writing, provided however that no decrease shall be made until proof of changes, as outlined above, has been furnished and deemed sufficient by Management. When rent is reduced between re-examinations, the resident must report all changes in income regardless of amount or source and rent shall be adjusted accordingly. It is the responsibility of the resident to report in writing all changes as outlined in items 1 and 2 within ten (10) days of their occurrence.

D2.4 Processing Re-Examinations

All re-examinations - annuals, specials and interims - shall be processed under the following conditions:

1. All data must be verified and documented as required in C3.0. The MHA will NOT adjust rents downward until satisfactory verification is received. Each time a re-examination is conducted a new criminal record will be retrieved on all members sixteen (16) years old or older listed on the lease.
2. Lease terminations resulting from re-examinations shall be conducted in accordance with the terms of the lease.
3. Families who are determined to be in an incorrect size or type of unit will be placed on the Transfer List in accordance with the Transfer Policy or be allowed to remain if overhoused in accordance with the MHA's vacancy reduction policy.
4. All interim changes in resident's rent are to be made by a copy of "Notice of Rent Adjustment" which shall become a part of the lease. Changes in rent resulting from annual re-certifications shall be incorporated into the lease by a "Notice of Rent Adjustment".
5. Interim decreases in rent shall be effective on the first day of the month following the month in which the change was reported in writing and verification is completed to the satisfaction of the MHA.
6. Interim increases in rent are to be effective on the first day of the month following the month in which the change actually occurred. For employment, this is the date employment began, not the date income was first received. For government benefits, this date is the beginning of the period covered by the payment. The MHA shall give a thirty (30) day written notice of the increase, unless exempted under the Earned Income Disregard.

7. If it is found that a resident has misrepresented or failed to report facts upon which his/her rent is based so that he is paying less than he should be paying, the increase in rent shall be made retroactively to the date that the increase would have taken effect. The resident may be required to pay within seven (7) days of official notification by the MHA or be required to sign and abide by a repayment agreement, the difference between the rent he has paid and the amount he should have paid. In addition, the resident may be subject to civil and criminal penalties. Any misrepresentation is a serious lease violation which may result in termination of the lease.

D3.0 Re-Examination Dates

The re-examination date(s) is the effective date of rent changes resulting from the annual re-examination. The re-examination will commence sufficiently in advance to obtain signed Application for Continued Occupancy as may be appropriate and to process to completion.

D4.0 Temporary Rents

If, at the time of admission or re-examination, the MHA can satisfy itself that a family is of low income and within the approved income limits, but cannot make a determination of income for purposes of determining rent with a necessary degree of accuracy because of the inability to secure adequate verification or instability of income, a temporary rent may be established based on the data supplied by the applicant in the application. If a temporary rent is established, the resident will be notified of this action by a temporary rent notice or such other method determined to be legally and administratively sufficient and that his/her appropriate rent, when determined, will be effective retroactively to the date of re-examination. The resident will be required to pay any balance due or the MHA will credit his/her account with any overpayment which results from a temporary rent. The MHA will schedule special re-examination (see D2.2) of all factors relating to both rent and eligibility of each resident established on a temporary rent at intervals established by the MHA until a permanent determination can be made as to rent and eligibility status of the family.

D5.0 Eviction of Families for Drug-Related and/or Criminal Activities

MHA shall commence eviction proceedings of the resident family for:

1. Any drug-related criminal activity of the resident, household member or guest on or off the premises;
2. When MHA has determined that a pattern of illegal use of a drug interferes with the health, safety or right to peaceful enjoyment of the premises by other residents.
3. Any other criminal activity on or off the premises.
4. If the MHA determines that a household member is a fugitive felon or a paroled violator.

5. If the MHA determines that a household member's abuse or potential abuse of Alcohol threatens the health, safety or right to peaceful enjoyment of the premises by other residents.

D5.1 Eviction of Families Whose Member(s) Do Not Comply With the Community Service Requirement

The MHA shall commence eviction proceedings of the resident family for non-compliance with the community service requirement of performing 8 hours of community service per month for an Annual requirement of 96 hours.

However, the family member may enter into a formal agreement to cure the deficiency by performing, in addition to the 8 hours per month in the forthcoming year, the hours deemed deficient. If at the end of the 2nd year the adult family member is not in compliance the MHA shall not renew the lease.

D5.2 Termination By The Housing Authority

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

- A. Nonpayment of rent or other charges;
- B. A history of late rental payments;
- C. Failure to provide timely and accurate information regarding family composition, income circumstances, or other information related to eligibility or rent;
- D. Failure to allow inspection of the unit;
- E. Failure to maintain the unit in a safe and sanitary manner;
- F. Assignment or subletting of the premises;
- G. Use of the premises for purposes other than as a dwelling unit (other than for Housing Authority approved resident businesses);
- H. Destruction of property;
- I. Acts of destruction, defacement, or removal of any part of the premises or failure to cause guests to refrain from such acts;
- J. Non-compliance with Non-Citizen Rule requirements;
- K. Permitting persons not on the lease to reside in the unit more than fourteen (14) days each year without the prior written approval of the Housing Authority; and
- L. Any other good cause.

The Housing Authority will take immediate action to evict any household that includes an individual who is subject to a lifetime registration requirement under a State sex offender registration program, or who includes an individual who has been convicted of manufacturing methamphetamine.

D5.3 Termination By Resident

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

D5.4 Abandonment

The Monroe Housing Authority will consider a unit to be abandoned when a resident has failed to pay rent, has failed to respond to correspondence from the housing authority, has clearly exhibited no evidence of living in the unit. A presumption of abandonment shall arise 10 or more days after the landlord has posted conspicuously a notice of suspected abandonment both inside and outside the premises and has received no response from the tenant.

When a unit has been abandoned, If the total value of the property is estimated at less than \$750.00, the Monroe Housing Authority may as an alternative to the procedures provided in G.S. 42-25.9(g), 42-25.9(h), or 42-36.2, deliver the property into the custody of a nonprofit organization regularly providing free or at a nominal price clothing and household furnishings to people in need, upon that organization agreeing to identify and separately store the property for 30 days and to release the property to the tenant at no charge within the 30-day period. The Monroe Housing Authority shall immediately post at the abandoned premises a notice containing the name and address of the property recipient, post the same notice for 30 days or more at the rental office, and send the same notice by first-class mail to the tenant at the tenant's last known address. Property cannot be sold or disposed of until 30 days after the Housing Authority mails the notice of abandonment.

If the estimated value of the property is more than \$750.00, the Monroe Housing Authority will proceed with the Summary Ejectment procedure after the 10 notice has been posted.

D5.5 Return Of Security Deposit

After a family moves out, the Monroe Housing Authority will return the security deposit within 30 days or give the family a written statement of why all or part of the security deposit is being kept. The rental unit must be restored to the same conditions as when the family moved in, except for normal wear and tear. Deposits will not be used to cover normal wear and tear or damage that existed when the family moved in.

TRANSFERS

E1.0 Transfer Policy

Objectives of the Transfer Policy:

- ✚ To fully utilize available housing resources while avoiding overcrowding by insuring that each family occupies the appropriate sized unit.
- ✚ To facilitate humane relocation when required for modernization or other management purposes.
- ✚ To facilitate relocation of families with complete and permanent inability to continue living in a multiple-story housing unit.
- ✚ To eliminate vacancy loss and other expenses due to unnecessary transfers.

E1.1 Types of Transfers

1. **MHA Initiated** - The MHA may at its discretion transfer residents because of an uninhabitable unit, major repairs, or other actions initiated by management as follows:
 - A. In the event of a fire, accident or natural disaster that results in the dwelling unit becoming uninhabitable, the resident will be offered alternative accommodations within the neighborhood if a rentable unit in the appropriate size is available. The option to transfer fire or disaster victims is open to the MHA; on-site management may review rent paying history, housekeeping, illegal or criminal activities and/or social dysfunction and use these criteria for making the determination to re-house. At MHA, the Executive Director has the ultimate responsibility for providing shelter for victims of fire. If the appropriate sized unit is not available within the same neighborhood, the family may be transferred to an appropriate size unit available at another MHA-owned neighborhood. If the move is to a site where residents purchase all or some utilities, the resident will pay the cost of any deposit required by the utility company. If an appropriate size unit is not available MHA-wide, then the family may be over-housed but placed on the transfer list with the transfer being accomplished at the appropriate time.
 - B. If a neighborhood is undergoing modernization type work which necessitates vacating housing units, the affected residents will be relocated at the MHA's expense in available vacant units within the MHA.
 - C. To protect a family from reprisals because family members provided information on criminal activities to a law enforcement agency.
 - D. To protect a family whose member(s) have been the victim of domestic violence or a hate crime.

- E. To accommodate a member of a family who has a mobility or other impairment that makes the person unable to use critical elements of the unit.
 - F. If there is involuntary disposition of the multi-family rental housing development by HUD under Section 203 of the Housing and Community Development Amendments of 1978.
 - G. If determined feasible by management, the MHA will attempt to relocate affected residents into vacant units within the site. Other decisions related to modernization transfers will be made by the Executive Director or his/her designee. The MHA may suspend normal transfer procedures to facilitate modernization type activities.
2. **Transfers for Approved Medical Reasons** - Residents may be transferred from their current housing unit in order to obtain reasonable accommodations of the needs of any resident with disabilities. The Authority may require medical documentation of a resident's condition from a physician or service provider and reserves the right to make its own evaluation of such documentation. Normally such transfers will be within the resident's original neighborhood unless the appropriate size, reasonable accommodations and type of unit do not exist on the site. All other medical related transfer requests shall be determined solely by the Executive Director or his/her designee.

A resident who desires to relocate on advice of a physician or service provider for reasons other than inability to negotiate stairs may file an application for a different housing unit with the management on site.

3. **Transfers to Appropriately Sized Unit**

If Resident's family composition **NO LONGER** conforms to Management's Occupancy Standards for the unit occupied, Management may require the Resident to move into a unit of appropriate size.

This section establishes both that the MHA has an obligation to transfer residents to the appropriately sized unit and that residents are obligated to accept such transfers. These will be made in accordance with the following principles:

- A. Determination of the correctly size housing unit shall be in accordance with the MHA's Occupancy Standards.
- B. Single persons, elderly and handicapped residents who occupy a one bedroom housing unit will not be required to relocate into an efficiency (0-BR).
- C. Transfers into the appropriately sized unit will be made within the same neighborhood unless that size unit is not available on the site.

- D. Management may, at its discretion, separate a single household into multiple households if sufficiently large units are not available or if management and the family determine this to be in the interest of both the family and the neighborhood. Based on the selection criteria for new admissions, management shall determine that each smaller family unit is eligible by HUD definition and contains a leaseholder capable of discharging lease obligations. The new household must apply to the MHA for occupancy and be processed through the regular wait list procedures.

4. **Transfers for Non-handicapped families living in handicapped designated units.**

If the unit leased is a handicapped designated unit and the resident family occupying the unit is not a family with handicapped individuals, the resident agrees to transfer to a non-handicapped unit if and when the unit is needed for a handicapped family.

The MHA may from time to time have an excess of handicapped accessible units. In an effort to get the best use of all units the MHA may from time to time rent a handicapped designated unit to a family that has no handicapped members. The MHA will advise the family of the requirements to transfer if and when a handicapped designated family is determined eligible. If the family selected for the unit decides not to accept the unit because of the requirement to move at some date in the future, the refusal shall not count against the family.

This section establishes both that the MHA has an obligation to transfer non-handicapped residents residing in handicapped designated units to non-handicapped designated units and that non-handicapped families are obligated to accept such transfers. These will be made in accordance with the following principles:

- A. Transfers to a non-handicapped designated unit will be made within the same neighborhood unless that size unit is not available on the site.
- B. Transfers to a non-handicapped designated unit will be made outside of the same neighborhood if that size unit is not available on the site.
- C. Management, may at its discretion, separate a single household into multiple households if sufficiently large units are not available or if management and the family determine this to be in the interest of both the family and the neighborhood. Based on the selection criteria for new admissions, management shall determine that each smaller family unit is eligible by HUD definition and contain a legal leaseholder capable of discharging lease obligations. For the purposes of determining the priorities for transfers, this type of transfer shall be considered an MHA initiated transfer.

E1.2 Priorities for Transfers

All transfers must be either for approved medical reasons, for relocation to an appropriately sized unit or be initiated by the MHA. No other reasons for transfers will be considered. Within the eligible types, transfers shall be performed over new move-ins according to the following priorities:

1. MHA initiated transfers;
2. Transfers to a single-level housing unit for approved medical reasons;
3. Residents who are under-housed by one or more bedrooms as is consistent with HQS and Housing Code enforcement for the City of Monroe;
4. Residents who are over-housed by one or more bedrooms and not over-housed by the MHA to remedy the vacancy rate;

MHA initiated transfers always have priority over new move-ins. The remainder shall be mixed with new move-ins in a ratio of one transfer to five new move-ins. Within each priority type, transfers will be ranked by date. In transfers requested by residents for approved health reasons or to move to a larger housing unit, the date shall be that on which the changed family circumstances are verified by on-site management. In the case of an involuntary transfer, the date will be that on which management verifies that the change occurred. Management reserves the right to immediately transfer any family who has misrepresented family circumstances or composition.

E1.3 Transfer Procedures

The MHA staff shall:

- ✚ Determine whether a vacancy is used for a transfer or move-in based on priorities and established ratios.
- ✚ Coordinate actual transfers with other MHA staff.
- ✚ Maintain transfer logs and records for audit.
- ✚ Notify residents with pending transfers as their name approaches the top of the list.
- ✚ Counsel with residents experiencing problems with transfers, assisting hardship cases to find assistance.
- ✚ Issue final offer of vacant housing unit as soon as vacant housing unit is identified.
- ✚ Issue notice to transfer as soon as vacant housing unit is available for occupancy. This notice will give the resident four (4) working days to complete transfer.
- ✚ Process transfer documents.

- ✚ Participate in planning and implementation of special transfer systems for modernization and other similar programs.
- ✚ Inspect both housing units involved in the transfer, charging for any resident abuse.

Only one offer of a housing unit will be made to each resident being transferred within their own neighborhood. A resident being transferred outside his/her own neighborhood will be allowed to refuse one offer only. In the case of a family being transferred from a unit which is uninhabitable, incorrectly sized, or scheduled for major repairs, failure to accept the unit offered, or the second unit offered in the case of a transfer outside the neighborhood, will be grounds for termination of the lease. When a person who has requested a single-level housing unit for approved medical reasons declines the offer of such a housing unit, the MHA is not obligated to make any subsequent offers. The MHA will notify the resident in such cases that the MHA has discharged its obligations to the resident, that he/she remains in the housing unit at his/her own risk, and that the MHA assumes no liability for his/her condition.

E1.4 Relocation Cost

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

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

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

- A. When the transfer is needed in order to carry out rehabilitation activities; or
- B. When action or inaction by the Monroe Housing Authority has caused the unit to be unsafe or inhabitable.

The responsibility for moving costs in other circumstances will be determined on a case by case basis.

E1.5 Right of Management to Make Exceptions

The plan is to be used as a guide to ensure fair and impartial means of assigning units for transfer. It is not intended that this policy shall create a property right or any other type of right for a resident to transfer or refuse transfer. Management reserves the right to make exceptions to this policy as circumstances require, consistent with applicable regulations of the Department of Housing and Urban Development.

FRAUD

F1.0 Fraud

The MHA takes the position that:

“Any person who obtains or attempts to obtain or who establishes or attempts to establish eligibility for, and any person who knowingly or intentionally aids or abets such person in obtaining or attempting to obtain or in establishing or attempting to establish eligibility for any public housing or a reduction in public housing rental charges or any rent subsidy or payment from a resident in connection with public housing to which such person would not otherwise be entitled, by means of a false statement, failure to disclose information, impersonation, or other fraudulent scheme or device shall be guilty of a fraud.”

The MHA considers the misrepresentation of income and family circumstances to be a serious lease and policy violation as well as a crime and will take appropriate action if apparent fraud is discovered.

Specifically:

1. An applicant family who has misrepresented income or family circumstances may be declared ineligible for housing assistance.
2. If any examination of the resident's file discloses that the resident made any misrepresentation (at the time of admission or any previous re-certification date) which resulted in his/her being classified as eligible when in fact he/she was ineligible, the resident may be required to vacate the housing unit even though he/she may currently be eligible.
3. A resident family who has made misrepresentation of income or family circumstances is subject to both eviction and being declared ineligible for future housing assistance.
4. If it is found that the resident's misrepresentations resulted in his/her paying a lower Resident Rent than he/she should have paid, he/she will be required to pay the difference between rent owed and the amount that should have been paid. This amount shall be paid whether or not the resident remains in occupancy, but failure to pay under terms established by the MHA shall always result in immediate termination of the lease. The MHA reserves the right to demand full payment within seven (7) days.
5. The MHA shall report apparent cases of resident or applicant fraud to the appropriate government agency. It shall be the policy of the MHA to press State and Federal authorities for prosecution of cases which, in the MHA's judgment, appear to constitute willful and deliberate misrepresentation.

RENT COLLECTION POLICY

G1.0 General Selection

Rent is due on or before the first (1st) day of each month and is delinquent after the fifth (5th) day of the month. In addition, a \$15.00 late charge will be assessed to the resident. All payments received after 4:00 P.M. shall be dated the next work day, but for delinquency purposes they will have the actual payment date noted on the receipt. If rent is paid by a personal check and the check is returned for insufficient funds, this shall be considered a nonpayment of rent and will incur the late charge and MHA will not accept subsequent personal checks from the resident.

Maintenance charges and all other charges are due the fifteenth (15th) day after notification of the charge (i.e. Work Order copy, letter, etc.). Maintenance charges and other charges, not otherwise mentioned in this policy, appearing on rental accounts are due the fifteenth (15th) day following written notification of the charge.

All payments received shall be applied to the oldest debt first, unless some charges are currently contested under a written grievance.

No amount shall be considered too small to issue an eviction warrant.

Management reserves the right to waive late charges or to accept payments after the delinquency date as determined on a case by case basis.

G1.1 Rental Payments After the Delinquency Date

- A. The MHA may assess a late charge to all residents, except those residents who have received a waiver, on the delinquency date.
- B. Payments tendered by residents after the delinquency date and prior to a demand notice will be accepted by management provided all rent and other charges then due are paid in full. No partial payments will be accepted.
- C. No payments will be accepted after the expiration of the eviction notice.
- D. A resident will be allowed to tender rent and other charges then due in full after termination of the dwelling lease only three (3) times within a twelve (12) month period (MHA fiscal year).
- E. Failure to make payments when due and before expiration of the dwelling lease termination, shall result in an issuance of a dispossessory warrant upon expiration of all legal notices.

G1.2 Procedures After the Expiration of the Termination of the Dwelling Lease

- A. Immediately after the expiration of the lease termination notice, management will issue a demand notice.
- B. No payments will be accepted after the demand notice is issued except from residents who have an approved request for late payment.

G1.3 Retroactive Rent Charges (Repayment Agreement)

Retroactive Rent Charges will be due and payable within seven (7) days of written notice unless arrangements are made prior to this day to make installment payments. Normally retroactive rent installment payments must be computed not to exceed a three (3) month pay off. If the amounts are large and the resident will not be able to pay off the retro rent charge within three (3) months a repayment schedule may be established allowing a longer period, not to exceed twelve (12) months. Failure to comply with the repayment schedule may subject the Resident to eviction procedures.

G1.4 Vacated Residents With Balances

Vacated residents will have seven (7) days from the date of the statement of Refund of Security Deposit and Unearned Rent to pay the account or make arrangements for payment.

VERIFICATION PROCEDURES

H1.0. INTRODUCTION

HUD regulations require MHA to verify the factors of eligibility and Total Tenant Payment/Tenant Rent. Applicants and Tenants must provide true and complete information to MHA whenever information is requested. MHA's verification requirements are designed to maintain program integrity. This Chapter explains MHA's procedures and standards for verification of preferences, income, assets, allowable deductions, family status, and changes in family composition. MHA will obtain proper authorization from the family before requesting information from independent sources.

MHA staff will obtain written verification from independent sources whenever possible and will document tenant files whenever third party verifications are not possible as to why third party verification was not obtained as well as the manner in which the eligibility factors were verified.

H1.2 METHODS OF VERIFICATION AND TIME ALLOWED ¹

MHA will verify information through five methods of verification according to the hierarchy listed below:

1. Enterprise Income Verification (EIV)
2. Third-Party Written Verification
3. Third-Party Oral Verification
4. Review of Documents
5. Certification/Self-Declaration

MHA will allow up to two (2) weeks for return of third-party verifications and up to one (1) additional week to obtain other types of verifications before going to the next method. MHA will document the file as to how the information was verified including an explanation for the method utilized if other than a written third party verification.

For applicants, verifications must be received 90 days prior to the offer of a dwelling unit. For Tenants, they will be valid for 90 consecutive days from date of receipt.

¹ [24 CFR Part 5, 960.259]

1. Enterprise Income Verification

MHA will utilize Enterprise Income Verification methods, whenever possible as well as any other EIV that might become available to MHA (including a centralized computer matching system).

Third-party verification may continue to be used to complement Enterprise Income Verification.

EIV may be used in lieu of 3rd party verifications when there is not a substantial difference between EIV and tenant-reported income. HUD defines substantial difference as \$200 or more per month.

- ❖ If the income reflected on the EIV verification is less than that reflected on the tenant-provided documentation, MHA will use tenant-provided documents to calculate anticipated annual income as long as the difference is within the aforementioned \$200 threshold. The income reflected on the EIV verification must not be more than 90 days old.
- ❖ If the income reflected on the EIV verification is greater than current tenant-provided documentation, MHA will use EIV income data to calculate anticipated annual income as long as the difference is within the above mentioned \$200 threshold; unless the tenant provides documentation of a change in circumstances (i.e. change in employment, reduction in hours, etc.) The tenant supplied documents must not be more than 90 days old.

In cases where EIV data is substantially different than tenant-reported income, MHA will follow the following guidelines:

- ❖ MHA will utilize written third party verification to verify the information
- ❖ When MHA cannot readily anticipate income, such as in cases of seasonal employment, unstable working hours, and suspected fraud, MHA will review historical income data for patterns of employment, paid benefits, and/or receipt of other income to anticipate income.
- ❖ MHA will analyze all data (EIV data, third party verification and other documents; information provided by the family) and attempt to resolve the income discrepancy.
- ❖ MHA will use the most current verified income data (and historical income data if appropriate) to calculate anticipated annual income.

If MHA is unable to anticipate annual income using current information due to historical fluctuations in income, MHA may average amounts received/earned to anticipate annual income.

If the tenant disputes EIV SS/SSI benefit data, MHA will request the tenant to provide a current original SSA notice or benefit letter within 10 business days of being notified of the dispute.

2. Third-Party Written Verification

Third-party verification is used to verify information directly with the income source. Third-party written verification forms will be sent and returned via first class mail. The family will be required to sign an authorization for the information source to release the specified information.

Verifications received electronically directly from the income source are considered third party written verifications. Verifications hand carried by clients will not be considered third party verifications unless the verification is from a government agency.

MHA will accept verifications in the form of computerized printouts delivered by the family from the following agencies:

- ❖ Social Security Administration
- ❖ Veterans Administration
- ❖ Welfare Assistance
- ❖ Unemployment Compensation Board
- ❖ City or County Courts

3. Third-Party Verbal Verification

Verbal third-party verification will be used when written third-party verification is delayed or not possible. When third-party verbal verification is used, staff will be required to complete the Verbal Verification Log, noting with whom they spoke, the date of the conversation, and the facts provided. If verbal verification is utilized MHA must originate the call.

4. Review of Documents

In the event that third-party written or verbal verification is unavailable, or the information has not been verified by the third party within two (2) weeks, MHA will annotate the file accordingly and utilize documents provided by the family as the primary source if the documents provide complete information.

All such documents, excluding government checks, will be photocopied and retained in the applicant file. In cases where documents are viewed which cannot be photocopied, staff viewing the document(s) will complete a Certification of Document Viewed.

MHA will accept the following documents from the family provided that the document is an original and does not appear to be tampered or altered.

- ❖ Printed wage stubs
- ❖ Computer print-outs from the employer
- ❖ Letters signed by the employer or other appropriate party (provided that the information is confirmed by phone)
- ❖ Other documents noted in this Chapter as acceptable verification

MHA will accept faxed and photocopied documents when received directly from the generating source.

If third-party written verification is received after documents have been accepted as provisional verification, and there is a discrepancy, MHA will utilize the third party verification.

MHA will not delay the processing of an application beyond two (2) weeks because a third party information provider does not return the verification in a timely manner.

5. Self-Certification/Self-Declaration

When verification cannot be made by third-party verification or review of documents, families will be required to submit a self-certification. Self-certification requires a notarized and witnessed statement/affidavit/certification/statement under penalty of perjury.

H1.3 RELEASE OF INFORMATION²

Each member of the family of an assistance applicant or participant who is at least 18 years of age, and each family head and spouse regardless of age, shall sign the form HUD 9887 & 9887A Release of Information/Privacy Act form In addition each member of the family of an assistance applicant or participant who is at least 18 years of age, and each family head and spouse regardless of age, shall sign one or more consent forms when information is needed that is not covered by the HUD form 9887 & 9887A, Consent for the Release of Information/Privacy Act Notice. Each member requested to consent to the release of specific information will be provided with a copy of the appropriate forms for their review and signature.

Refusal to cooperate with the prescribed verification system will result in denial of admission or termination of assistance because it is a family obligation to supply any information and to sign consent forms requested by MHA or HUD.

H1.4 ITEMS TO BE VERIFIED

All income not specifically excluded by the regulations.

Zero-income status of household.

Full-time student status including High School students who are 18 or over.

Current assets including assets disposed of for less than fair market value in the preceding two years.

Childcare expenses when it allows an adult family member to be employed, to actively seek employment or to further his/her education.

Medical expenses of all family members in households whose head or spouse is elderly or disabled.

Disability assistance expenses to include only those costs associated with attendant care or auxiliary apparatus for a disabled member of the family, which allow an **adult** family member to be employed.

Disability for determination of preferences, allowances or deductions.

U.S. citizenship/eligible immigrant status

Social Security Numbers for all family members 6 years of age or older who have been issued a social security number.

"Preference" status, as applicable.

² [24 CFR 5.230]

Marital status when needed for head or spouse definition.

Verification of Reduction in Benefits for Noncompliance:

Before granting a family's request for rent reduction because of a decrease in benefits, MHA will obtain written verification from the Welfare agency stating that the family's benefits were not reduced because of fraud or non-compliance with an economic self-sufficiency requirement.

H1.5 VERIFICATION OF INCOME

This section defines the methods MHA will use to verify various types of income.

1. Employment Income

Verification forms request the employer to specify the:

- ❖ Dates of employment
- ❖ Amount and frequency of pay
- ❖ Date of the last pay increase
- ❖ Likelihood of change of employment status and effective date of any known salary increase during the next 12 months
- ❖ Annual earnings
- ❖ Estimated income from overtime, tips, bonus pay expected during next 12 months

Acceptable methods of verification in addition to EIV include:

- ❖ Employment verification form completed by the employer.
- ❖ Check stubs or earning statements, which indicate the employee's gross pay, frequency of pay or year to date earnings.
- ❖ W-2 forms plus income tax return forms.
- ❖ Income tax returns signed by the family may be used for verifying self-employment income, or income from tips and other gratuities.

Applicants and program participants may be requested to sign an authorization for release of information from the Internal Revenue Service for further verification of income, IRS Form 8121. In cases where there are questions about the validity of information provided by the family, MHA will require the most recent federal income tax statements. Confirmation may be made on a case-by-case basis.

2. Social Security, Pensions, Supplementary Security Income (SSI), Disability Income

Acceptable methods of verification in addition to EIV include:

- ❖ Benefit verification form completed by agency providing the benefits.
- ❖ Award or benefit notification letters prepared and signed by the providing agency.
- ❖ Computer report electronically obtained or in hard copy.

3. Unemployment Compensation

Acceptable methods of verification in addition to EIV include:

- ❖ Verification form completed by the unemployment compensation agency.
- ❖ Computer report electronically obtained or in hard copy, from unemployment office stating payment dates and amounts.
- ❖ Payment stubs.

4. Welfare Payments or General Assistance

Acceptable methods of verification in addition to EIV include:

- ❖ MHA verification form completed by payment provider.
- ❖ Written statement from payment provider indicating the amount of grant/payment, start date of payments, and anticipated changes in payment in the next 12 months.
- ❖ Computer-generated Notice of Action.
- ❖ Computer-generated list of recipients from Welfare Department.

5. Alimony or Child Support Payments

Acceptable methods of verification in addition to EIV include:

- ❖ Copy of a separation or settlement agreement or a divorce decree stating amounts and types of support and payment schedules.
- ❖ A notarized letter from the person paying the support.
- ❖ Copy of latest check and/or payment stubs from Court Trustee. MHA must record the date, amount, and number of the check.

- ❖ Family's self-certification of amount received and of the likelihood of support payments being received in the future, or that support payments are not being received.

If payments are irregular, the family must provide:

- ❖ A copy of the separation or settlement agreement, or a divorce decree stating the amount and type of support and payment schedules.
- ❖ A statement from the agency responsible for enforcing payments to show that the family has filed for enforcement.
- ❖ A notarized affidavit from the family indicating the amount(s) received.
- ❖ A welfare notice of action showing amounts received by the welfare agency for child support.
- ❖ A written statement from an attorney certifying that a collection or enforcement action has been filed.

6. Net Income from a Business

In order to verify the net income from a business, MHA will review IRS and financial documents from prior years and use this information to anticipate the income for the next 12 months.

Acceptable methods of verification include:

- ❖ IRS Form 1040, including Schedule C (Small Business), Schedule E (Rental Property Income), Schedule F (Farm Income). Note: If accelerated depreciation was used on the tax return or financial statement, an accountant's calculation of depreciation expense computed using straight-line depreciation rules.
- ❖ Audited or un-audited financial statement(s) of the business.
- ❖ Credit report or loan application.
- ❖ Documents such as manifests, appointment books, bank statements, and receipts will be used as a guide for the prior six months (or lesser period if not in business for six months) to project income for the next 12 months. The family will be advised to maintain these documents in the future if they are not available.
- ❖ Family's self-certification as to net income realized from the business during previous years.

7. Child Care Business

If an applicant/participant is operating a licensed day care business, income will be verified as with any other business.

If the applicant/participant is operating a day care business which may or may not be licensed, MHA will require that the applicant/participant complete a form for each customer which indicates: name of person(s) whose child (children) is/are being cared for, phone number, number of hours child is being cared for, method of payment (check/cash), amount paid, and signature of person.

If the family has filed a tax return, the family will be required to provide it.

MHA may conduct interim reevaluations every 120 days and require the participant to provide a log with the information about customers and income.

If childcare services were terminated, a third-party verification will be sent to the parent whose child was cared for.

If the child care business provides day care services for the State of North Carolina, a third party income verification will be sent to the Family Support Division.

8. Recurring Gifts

The family must furnish a self-certification, which contains the following information:

- ❖ The person who provides the gifts
- ❖ The value of the gifts
- ❖ The regularity (dates) of the gifts
- ❖ The purpose of the gifts

9. Zero Income Status

Families claiming to have no income will be required to execute verification forms to determine that forms of income such as unemployment benefits, TANF, SSI, etc. are not being received by the household. Families claiming to have not income will have to certify to this status at least quarterly when notified by MHA.

10. Full-time Student Status

Only the first \$480 of the earned income of full time students, other than head, co-head, or spouse, will be included towards family income. Financial aid, scholarships and grants received by full time students are not family income.

Verification of full time student status includes:

- ❖ Written verification from the registrar's office or other school official.
- ❖ School records indicating enrollment for sufficient number of credits to be considered a full-time student by the educational institution.

H1.6 INCOME FROM ASSETS

1. Savings Account Interest Income and Dividends

Acceptable methods of verification include:

- ❖ Account statements, passbooks, certificates of deposit, or MHA verification forms completed by the financial institution.
- ❖ Broker's statements showing value of stocks or bonds and the earnings credited the family. Earnings can be obtained from current newspaper quotations or oral broker's verification.
- ❖ IRS Form 1099 from the financial institution provided that MHA must adjust the information to project earnings expected for the next 12 months.

2. Interest Income from Mortgages or Similar Arrangements

Acceptable methods of verification include:

- ❖ A letter from an accountant, attorney, real estate broker, the buyer, or a financial institution stating interest due for next 12 months. (A copy of the check paid by the buyer to the family is not sufficient unless a breakdown of interest and principal is shown.)
- ❖ Amortization schedule showing interest for the 12 months following the effective date of the certification or re-certification.

3. Net Rental Income from Property Owned by Family

Acceptable methods of verification include:

- ❖ IRS Form 1040 with Schedule E (Rental Income).
- ❖ Copies of latest rent receipts, leases, or other documentation of rent amounts.
- ❖ Documentation of allowable operating expenses of the property: tax statements, insurance invoices, and bills for reasonable maintenance and utilities, and bank statements or amortization schedules showing monthly interest expense.
- ❖ Lessee's written statement verifying rent payments to the family and family's self-certification as to net income realized.

H1.7 VERIFICATION OF ASSETS

1. Family Assets

MHA will require the information necessary to determine the current cash value of the family's assets, (the net amount the family would receive if the asset were converted to cash).

Acceptable verification may include any of the following:

- ❖ Verification forms, letters, or documents from a financial institution or broker.
- ❖ Passbooks, checking account statements, certificates of deposit, bonds, or financial statements completed by a financial institution or broker.
- ❖ Quotes from a stockbroker or realty agent as to net amount family would receive if they liquidated securities or real estate.
- ❖ Real estate taxes statements if the approximate current market value can be deduced from assessment.
- ❖ Financial statements for business assets.
- ❖ Copies of closing documents showing the selling price and the distribution of the sales proceeds.
- ❖ Appraisals of personal property held as an investment.
- ❖ Family's self-certification describing assets or cash held at the family's home or in safe deposit boxes.

2. Assets Disposed of for Less than Fair Market Value (FMV) During Two Years Preceding Effective Date of Certification or Recertification

For all Certifications and Re-certifications, MHA will obtain the Family's certification as to whether any member has disposed of assets for less than fair market value during the two years preceding the effective date of the certification or re-certification.

If the family certifies that they have disposed of assets for less than fair market value, verification or certification is required that shows: (a) all assets disposed of for less than FMV, (b) the date they were disposed of, (c) the amount the family received, and (d) the market value of the assets at the time of disposition. Third party verification will be obtained wherever possible.

H1.8 VERIFICATION OF ALLOWABLE DEDUCTIONS FROM INCOME

1. Child Care Expenses

Written verification from the person who receives the payments is required. If the childcare provider is an individual, s/he must provide a statement of the amount they charge and receive from the family for their services. Verifications must specify the child care provider's name, address, telephone number, Social Security Number, the names of the children cared for, the number of hours the child care occurs, the rate of pay, and the typical yearly amount paid, including school and vacation periods. Family's certification as to whether any of those payments have been or will be paid or reimbursed by outside sources.

Child care expenses are deducted only to the extent that they are not reimbursed and reflect a reasonable charge; and are paid for the care of children under the age of 13.

As stated elsewhere in this document, child care is allowable for the following reasons:

❖ **Child-Care to Work**

The maximum child-care allowed will be based on the amount earned by the person enabled to work. The "person enabled to work" will be the adult member of the household who earns the least amount of income from working.

❖ **Child-Care for School**

The HA will compare the number of hours the family member is attending school relative to the number of child care hours to determine the number of child care hours that will be included in the rent calculation.

❖ **Rate of Expense**

The HA will survey the local day care providers in the area/community to determine a reasonableness standard. The determination will be made only on a reasonable HOURLY rate. The reasonable rate will be determined based upon the type of care chosen by the family, i.e., center-based or in-home care; State provided care or private care.

❖ **Actively Seek Employment**

The HA will obtain evidence that the individual is fulfilling welfare-to-work requirements or the requirements for receiving unemployment compensation; or is otherwise actively seeking employment. Written verification from a local or state government agency that oversees work-related activities will be accepted.

If third party verification is not possible, MHA will review documents provided by the family and/or a notarized statement from the family member attesting to his or her efforts to find employment.

2. Medical Expenses

Families, who claim medical expenses will be required to submit a certification as to whether or not any expense payments have been, or will be, reimbursed by an outside source. One or more of the methods listed below will verify all expense claims:

- ❖ Written verification by a doctor, hospital or clinic personnel, dentist, Pharmacist, of (a) the anticipated medical costs to be incurred by the family and regular payments due on medical bills; and (b) extent to which those expenses will be reimbursed by insurance or a government agency.
- ❖ Written confirmation by the insurance company or employer of health insurance premiums to be paid by the family.
- ❖ Written confirmation from the Social Security Administration of Medicare premiums to be paid by the family over the next 12 months. A computer printout will be accepted.

❖ For attendant care:

MHA will require certification from a qualified professional having knowledge of the person's need for an attendant and who can verify the attendant is necessary as a medical expense.

Attendant's written confirmation of hours of care provided and amount and frequency of payments received from the family or agency (or copies of canceled checks the family used to make those payments) or stubs from the agency providing the services.

- ❖ Receipts, canceled checks, or pay stubs that verify medical costs and insurance expenses likely to be incurred in the next 12 months.
- ❖ Copies of payment agreements or most recent invoice that verify payments made on outstanding medical bills that will continue over all or part of the next 12 months.
- ❖ Receipts or other record of medical expenses incurred during the past 12 months that can be used to anticipate future medical expenses. MHA may use this approach for "general medical expenses" such as non-prescription drugs and regular visits to doctors or dentists, but not for one time, nonrecurring expenses from the previous year.
- ❖ MHA will use mileage at the IRS rate, or cab, bus fare, or other public transportation cost for verification of the cost of transportation directly related to medical treatment.

3. Assistance to Persons with Disabilities

❖ In All Cases:

Written certification from a reliable, knowledgeable professional that the person with disabilities requires the services of an attendant and/or the use of auxiliary apparatus to permit him/her to be employed or to function sufficiently independently to enable another family member to be employed.

Family's certification as to whether they receive reimbursement for any of the expenses of disability assistance and the amount of any reimbursement received.

❖ Attendant Care:

Attendant's written certification of amount received from the family, frequency of receipt, and hours of care provided.

Certification of family and attendant and/or copies of canceled checks family used to make payments.

❖ Auxiliary Apparatus:

Receipts for purchases or proof of monthly payments and maintenance expenses for auxiliary apparatus.

In the case where the person with disabilities is employed, a statement from the employer that the auxiliary apparatus is necessary for employment.

H1.9. VERIFYING NON-FINANCIAL FACTORS

1. Verification of Legal Identity and Familial Relationships

MHA will require applicants to furnish verification of legal identity for all family members. The documents listed below will be considered acceptable verification of legal identity for adults. If a document submitted by a family is illegible or otherwise questionable, more than one of these documents may be required.

- ❖ Certificate of Birth, naturalization papers
- ❖ Church issued baptismal certificate
- ❖ Current, valid Driver's license
- ❖ U.S. military discharge (DD 214)
- ❖ U.S. passport
- ❖ Voter's registration
- ❖ Company/agency Identification Card
- ❖ Government issued Identification Card
- ❖ Verification of guardianship is:
 - Court-ordered assignment
 - Affidavit of parent
 - Verification from social services agency

Documents considered acceptable for the verification of legal identity for minors may be one or more of the following:

- ❖ Certificate of Birth.
- ❖ Adoption papers.
- ❖ Custody agreement.

- ❖ Health and Human Services ID.
- ❖ School records.

If none of these documents can be provided, a third party who knows the person may, at MHA's discretion, provide certification to be used as verification.

2. Verification of Marital Status (when necessary to determine custody of children)

- ❖ Verification of divorce status will be a certified copy of the divorce decree, signed by a Court Officer.
- ❖ Verification of a separation may be a copy of court-ordered maintenance or other records.
- ❖ Verification of marriage status is a marriage certificate.

3. Verification of Permanent Absence of Family Member

If an adult member who was formerly a member of the household is reported permanently absent by the family, MHA will consider any of the following as verification:

- ❖ Divorce Decree.
- ❖ Legal separation agreement.
- ❖ Order of protection/restraining order obtained by one family member against another.
- ❖ Proof of another home address, such as utility bills, canceled checks for rent, driver's license, or lease or rental agreement, if available.
- ❖ Statements from other agencies such as social services or a written statement from the landlord or manager that the adult family member is no longer living at that location.
- ❖ If the adult family member is incarcerated, a document from the Court or correctional facility should be obtained stating how long they will be incarcerated.
- ❖ If no other proof can be provided, MHA will accept a self-certification from the head of household or the spouse or co-head, if the head is the absent member.

5. Verification of Change in Family Composition

MHA may verify changes in family composition (either reported or unreported) through letters, telephone calls, utility records, inspections, landlords, neighbors, credit data, school or DMV records, and other sources.

6. Verification of Disability

Verification of disability must be receipt of SSI or SSA disability payments under Section 223 of the Social Security Act or 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(7)) or verified by appropriate diagnostician such as physician, psychiatrist, psychologist, therapist, rehab specialist, or licensed social worker, using the HUD language as the verification format.

H1.10 VERIFICATION OF CITIZENSHIP/ELIGIBLE IMMIGRANT STATUS

To be eligible for assistance, individuals must be U.S. citizens or eligible immigrants. Individuals who are neither may elect not to declare their status. Eligible immigrants must fall into one of the categories specified by the regulations and must have their status verified by Immigration and Naturalization Service (INS). Each family member must declare their status. Assistance cannot be delayed, denied, or terminated while verification of status is pending except that assistance to applicants may be delayed while MHA informal review is pending.

1. Citizens or Nationals of the United States

All applicants and participants are required to sign a declaration under penalty of perjury. MHA will require citizens to provide documentation of citizenship. Acceptable documentation will include at least one of the following original documents:

- ❖ United States birth certificate
- ❖ United States passport
- ❖ Resident alien/registration card
- ❖ Social Security card
- ❖ Other appropriate documentation as determined by MHA

2. Eligible Immigrants who were Participants and 62 or over on June 19, 1995

Eligible Immigrants who were Participants and 62 or over on June 19, 1995 are required to sign a declaration of eligible immigration status and provide proof of age.

3. Non-citizens with eligible immigration status

Non-citizens with eligible immigration status must sign a declaration of status and verification consent form and provide their original immigration documents which are copied front and back and returned to the family. MHA verifies the status through the INS SAVE system. If this primary verification fails to verify status, MHA must request within ten days that the INS conduct a manual search.

4. Ineligible family members

Ineligible family members who do not claim to be citizens or eligible immigrants must be listed on a statement of ineligible family members signed by the head of household or spouse.

5. Non-citizen students on student visas

Non-citizen students on student visas are ineligible members even though they are in the country lawfully. They must provide their student visa but their status will not be verified and they do not sign a declaration but are listed on the statement of ineligible members.

6. Failure to Provide

If an applicant or participant family member fails to sign required declarations and consent forms or provide documents, as required they must be listed as an ineligible member. If the entire family fails to provide and sign as required, the family may be denied or terminated for failure to provide required information.

7. Time of Verification

For applicants, verification of U.S. citizenship/eligible immigrant status occurs at the same time as verification of other factors of eligibility for final eligibility determination at the time of initial application. MHA will not provide assistance to any family prior to the affirmative establishment and verification of the eligibility of the individual or at least one member of the family. MHA will verify the U.S. citizenship/eligible immigration status of all participants no later than the date of the family's first annual reexamination following the enactment of the Quality Housing and Work Responsibility Act of 1998.

For family members added after other members have been verified, the verification occurs at the first re-certification after the new member moves in. Once verification has been completed for any covered program, it need not be repeated except that, in the case of port-in families, if the initial MHA does not supply the documents, MHA must conduct the determination.

8. Extensions of Time to Provide Documents

MHA will grant an extension of 30 days for families to submit evidence of eligible immigrant status.

9. Acceptable Documents of Eligible Immigration

The regulations stipulate that only the following documents are acceptable unless changes are published in the Federal Register.

- ❖ Resident Alien Card (I-551)
- ❖ Alien Registration Receipt Card (I-151)
- ❖ Arrival-Departure Record (I-94)
- ❖ Temporary Resident Card (I-688)
- ❖ Employment Authorization Card (I-688B)
- ❖ Receipt issued by the INS for issuance of replacement of any of the above documents that shows individual's entitlement has been verified

A birth certificate is not acceptable verification of status. All documents in connection with U.S. citizenship/eligible immigrant status must be kept five years.

H1.11 VERIFICATION OF SOCIAL SECURITY NUMBERS

Social security numbers must be provided as a condition of eligibility for all family members age six and over if they have been issued a number. Verification of Social Security numbers will be done through a Social Security Card issued by the Social Security Administration. If a family member cannot produce a Social Security card at the time of application, the family will have 60 days to do so.

If no Social Security number has ever been assigned to a particular family member, the applicant must sign a certification stating that no SSN has been assigned. If a SSN has been assigned to an individual and this individual is not able to produce documentation, the applicant must provide SSN documentation to the owner within 60 days (120 days for those 62 years old or older) from the date on which the applicant certified that the documentation was not available.

**APPENDIX A
PIH NOTICE 2004-1
INCOME VERIFICATION GUIDE**



U.S. Department of Housing and Urban Development

Public and Indian Housing

Special Attention of:

Public Housing Agency Directors; Section 8 and Public Housing Administrators; Public Housing Hub Office Directors; Public Housing Field Office Directors; Program Center Coordinators; Section 8 Financial Management Center; Resident Management Corporations; Resident Councils

Notice PIH 2004-01 (HA)

Issued: March 9, 2004

Expires: March 31, 2005

Cross References:

Subject: Verification Guidance

Purpose:

This Notice provides instructions on the HUD-established verification policies as provided in the attached Verification Guidance. Administrators of Public Housing and Section 8 programs are required to implement procedures to ensure compliance with these verification policies during mandatory interim and reexaminations of family income under existing regulations. The implementation of these verification policies will assist in the reduction of income and rent errors within Public Housing and Section 8 programs.

Applicability:

This notice applies to all PIH rental assistance programs, including: Public Housing, Section 8 Moderate Rehabilitation, Housing Choice Voucher and Section 8 Project-Based Certificate Programs.

For inquiries about this Notice Contact: Nicole Lawyer of the Management and Occupancy Division at (202) 708-0744 or your local HUD Field Office.

Paperwork Reduction. The information collection requirements contained in this guidance have been approved by the Office of Management and Budget (OMB under the Paperwork Reduction Act of 1995 (44 U.S.C. 3520) and assigned OMB control number(s) 2577-0220. In accordance with the Paperwork Reduction Act, HUD may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a currently valid OMB control number.

/s/

Michael Liu, Assistant Secretary
for Public and Indian Housing

Attachment

PE:Distribution: W-3-1, R-3-1 (PIH), R-6, R-7, 138-2, RMC-2

**APPENDIX B
PET POLICY**

PET POLICY

MONROE HOUSING AUTHORITY

This statement of Pet Policy is established for the Monroe Housing Authority by action of the Board of Commissioners on this 16th day of July, 2001 and replaces any and all existing Pet Policies. Said Pet Policy effective October 1, 2001.

1. A pet deposit of \$150.00 plus a non-refundable Pet Fee of \$200.00 is required. If the animal is a service animal that assists, supports or provides service to persons with disabilities, no pet security deposit or fee is required. The Pet Fee must be paid in full prior to ownership of pet. (Pet Fee is not applicable to elderly developments). The pet deposit may be paid in increments of not less than \$50.00 per month for each succeeding month until the sum is paid in full. The pet deposit or any part thereof may not be used for any damages incurred on the unit unless directly related to said pet and only after pet is no longer in unit.
2. Limit one four legged pet per unit.
3. Dogs or cats must be neutered or spayed. If animal is too young, resident agrees to have the procedure done when a suitable age is reached.
4. The size of the pet is limited to a maximum of twenty-five (25) pounds (adult weight), unless it is an assistive animal.
5. No pet that is classified by the PHA as dangerous or that may endanger the health, safety or welfare of any housing employee or any other resident will be permitted. These pets, include, but are not limited to Doberman Pinchers, Rottweilers, Pit Bulls or reptiles.
6. Pet owners must provide current immunization record from a qualified veterinarian, must display a current license tag, I.D. tag and provide a picture of pet to the PHA. Immunization records and pet license tags are to be verified yearly during the month of the pet owner's annual re-certification.

16. Resident may be requested to remove or restrain pet in order for repairs or improvements to be made to unit.
17. In the event of a pet rule violation, the pet owner will have up to fifteen (15) days from the date of service of the notice to cure the violation, to remove the pet or to make a written request for a meeting to discuss said violation (s). The pet owner is entitled to be accompanied by another person of his or her choice. Failure to cure the violation, to request a meeting, or to appear at a requested meeting may result in termination of tenancy.
18. If a pet is removed due to the death or incapacity of the pet owner and the two responsible parties are contacted and are unwilling or unable to remove the pet; or cannot be contacted, the pet will be removed and placed in a pet facility for a period not to exceed thirty (30) days. The cost of the animal care shall be borne by the pet owner or his/her estate. If unable or unwilling to pay, the cost will be paid from the pet deposit.
19. Housekeeping Standards required by tenants lease, must be met and maintained in order to have a pet.

I have received a copy of the Pet Policy and agree that my household will not obtain a pet without prior Housing Authority approval. I further understand that an addendum to my lease is required if a pet is approved to live in my unit.

RESIDENT

By: (Head of Household)

Date

MONROE HOUSING AUTHORITY

By: (Name & Title)

Date

APPENDIX C
VOLUNTARY CONVERSION

APPENDIX D
MARKET VALUE FLAT RENT

Monroe Housing Authority

FLAT RENTS

HUD PIH Notice 2014-12 issued May 19, 2014 mandating all Housing Authorities operating a Public Housing Program to establish flat rents based on 80% of the Fair Market Rent (FMR) for comparable units in the private, unassisted rental market.

Based on 80% of the 2014 FMR's for the Charlotte-Mecklenburg-Gastonia metropolitan area, the flat rent schedule for Monroe Housing Authority is as follows:

One Bedroom:	\$550
Two Bedrooms:	\$650
Three Bedrooms:	\$877
Four Bedrooms:	\$1087
Five Bedrooms:	\$1250

Residents are afforded a choice annually to pay rent based on their income or to pay a flat rent based on 80% of the current FMR for comparable units in the unassisted market. If you have questions or comments, please feel free to contact the management office at 704-289-2514.

APPENDIX E
COMMUNITY SERVICE



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

Special Attention of:

Public Housing Agency Directors;
Public Housing Hub Office Directors;
Public Housing Field Office Directors;
Program Center Coordinators;
Resident Management Corporations;
Resident Councils

Notice PIH-2015-12 (HA)

Issued: August 13, 2015

Expires: Effective until amended or
superseded

Cross References: PIH Notice 2009-48

Subject: Administering the Community Service and Self-Sufficiency Requirement (CSSR)

1. **Purpose:** The Department is issuing this Notice to assist public housing authorities' (PHAs) understanding and administration of the Community Service and Self-Sufficiency Requirement (CSSR) and in response to an audit report issued by the Office of Inspector General on February 13, 2015. This Notice addresses:
 - Statutory/Regulatory Requirements for Administering CSSR;
 - Data Collection and Reporting Requirements;
 - Action to take against non-compliant tenants; and,
 - Penalties/sanctions against PHAs housing ineligible households.
2. **Applicability:** This Notice applies to PHAs that administer the Public Housing Program and all HUD Field Offices with Public Housing Programs. This Notice supersedes all previous guidance and provides clarification guidance on administering the CSSR.
3. **Background:** Section 12(c) [42 U.S.C. Section 1437j] of the United States Housing Act of 1937, as amended on October 12, 1998 by Section 512 (Pub. L. 105-276) of the Quality Housing and Work Responsibility Act of 1998, contained a CSSR that every adult resident of public housing contribute eight hours of community service per month, or participate in an economic self-sufficiency program for eight hours per month. Regulations for the CSSR requirement can be found at 24 CFR Subpart F, 960.600 through 960.609.
4. **Statutory/Regulatory Requirements for Administering CSSR:** Community Service is "The performance of voluntary work or duties that are a public benefit, and that serve to improve the quality of life, enhance resident self-sufficiency, or increase resident self-responsibility in the community. Community service is not employment and may not include political activities." (See 24 CFR 960.601(b)).

Community service and economic self-sufficiency requirements mandate that each nonexempt adult household member (18 years or older) shall either contribute 8 hours per month of community service, or participate in an economic self-sufficiency program for 8 hours per month (see 24 CFR 960.603(a)). The requirements can also be met by performing a combination of 8 hours of community service and participation in an economic self-sufficiency program. The required community service or self-sufficiency

activity may be completed at 8 hours each month or may be aggregated across a year. Any blocking of hours is acceptable as long as 96 hours is completed by each annual certification.

- 5. Administrative Provisions:** PHAs must develop a local policy for administration of the CSSR for public housing residents (see 24 CFR 960.605(a)) within the Admissions and Continued Occupancy Policies (ACOP). Elements of the CSSR policy include, but are not limited to, the PHA responsibility to administer the requirement; eligible and non-eligible activities; exemptions from the requirement; and compliance review standards. These elements are described further in this document.

PHAs may administer qualifying community service and self-sufficiency activities directly, or make the activities available to residents through a contractor or partnership with qualifying organizations (including resident organizations), community agencies, or institutions (see 24 CFR 960.605(b)). In administering the CSSR, a PHA may provide names and contacts of agencies offering opportunities for residents, including persons with disabilities, to fulfill their community service obligations. In administering the CSSR, PHAs may choose to coordinate with social service agencies, local schools and human service offices to develop a referral list of names and agency contacts. PHAs that administer a ROSS or Family Self-Sufficiency program may wish to engage the Program Coordinating Committee in this endeavor. PHAs are encouraged to create agreements with local organizations, including faith-based and community organizations, to assist CSSR. Specifically, such agreements would allow local organizations to advertise their programs, assist with transportation, child-care or other barriers to CSSR attainment and verify hours within individual monthly logs. HUD strives to provide maximum flexibility to PHAs to allow successful CSSR implementation without adding excessive costs or administrative burdens (see 24 CFR 960.605(b)).

- 6. Community Services:** Eligible community service activities include, but are not limited to, serving at:
- A. Local public or nonprofit institutions, such as schools, Head Start Programs, before-or after-school programs, childcare centers, hospitals, clinics, hospices, nursing homes, recreation centers, senior centers, adult daycare programs, homeless shelters, feeding programs, food banks (distributing either donated or commodity foods), or clothes closets (distributing donated clothing);
 - B. Nonprofit organizations serving PHA residents or their children, such as: Boy or Girl Scouts, Boys or Girls Club, 4-H Clubs, Police Activities League (PAL), organized children's recreation, mentoring, or education programs, Big Brothers or Big Sisters, Garden Centers, community clean-up programs, beautification programs;
 - C. Programs funded under the Older Americans Act, such as Green Thumb, Service Corps of Retired Executives, senior meals programs, senior centers, Meals on Wheels;
 - D. Public or nonprofit organizations dedicated to seniors, youth, children, residents, citizens, special-needs populations or with missions to enhance the environment, historic resources, cultural identities, neighborhoods or performing arts;
 - E. PHA housing to improve grounds or provide gardens (so long as such work does not alter the PHA's insurance coverage); or work through resident organizations to help other residents with problems, including serving on the Resident Advisory Board, outreach and assistance with PHA-run self-sufficiency activities including supporting computer learning centers; and,
 - F. Care for the children of other residents so parents may volunteer.

PHAs may form their own policy in regards to accepting community services at profit-motivated entities, acceptance of volunteer work performed at homes or offices of general private citizens, and court-ordered or probation-based work.

Pursuant to 24 CFR 960.609, no PHA may substitute community service activity performed by a resident for work ordinarily performed by a PHA employee. However, residents may do community service on PHA property or with or through PHA programs to assist with or enhance work done by a PHA employee.

7. **Self-Sufficiency:** Eligible self-sufficiency activities include, but are not limited to:
- A. Job readiness or job training while not employed;
 - B. Training programs through local One-Stop Career Centers, Workforce Investment Boards (local entities administered through the U.S. Department of Labor), or other training providers;
 - C. Higher education (junior college or college);
 - D. Apprenticeships, (formal or informal);
 - E. Substance abuse or mental health counseling;
 - F. Reading, financial and/or computer literacy classes;
 - G. English as a second language and/or English proficiency classes;
 - H. Budgeting and credit counseling.
8. **CSSR Partnerships:** PHAs with a ROSS Service Coordinators program or Family Self-Sufficiency (FSS) program may coordinate Individual Training and Services Plans (ITSPs) with CSSR. The ITSP is a tool to plan, set goals and track movement towards self-sufficiency through education, work readiness and other supportive services such as health, mental health and work supports. Specific CSSR activities may be included in ITSPs to enhance a person's progress towards self-sufficiency. Regular meetings with PHA coordinators may satisfy CSSR activities and PHA Service Coordinators or FSS Program Coordinators may verify community service hours within individual monthly logs.
9. **Exempt Residents:** PHAs are required to set out in their Admissions and Continuing Occupancy Policy (ACOP) how the PHA determines if an individual is exempt from the CSSR and the documentation needed to support the exemption. Exemptions for adult residents, as codified at 24 CFR 960.601, include persons who are:
- A. 62 years or older;
 - B. 1. Blind or disabled, as defined under 216(i)(1) or 1614 of the Social Security Act (42 U.S.C. Section 416(i)(1); Section 1382c), and who certify that, because of this disability, she or he is unable to comply with the service provisions of this subpart, or
2. is a primary caretaker of such individual;
 - C. Engaged in work activities (see Notice PIH 2003-17 (HA)). In order for an individual to be exempt from the CSSR requirement because he/she is "engaged in work activities," the person must be participating in an activity that meets one of the following definitions of "work activity" contained in Section 407(d) of the Social Security Act (42 U.S.C. Section 607(d)):
 - 1. Unsubsidized employment;
 - 2. Subsidized private-sector employment;
 - 3. Subsidized public-sector employment;
 - 4. Work experience (including work associated with the refurbishing of publicly assisted housing) if sufficient private sector employment is not available;
 - 5. On-the-job-training;
 - 6. Job-search;
 - 7. Community service programs;
 - 8. Vocational educational training (not to exceed 12 months with respect to any individual);
 - 9. Job-skills training directly related to employment;
 - 10. Education directly related to employment in the case of a recipient who has not received a high school diploma or a certificate of high school equivalency;
 - 11. Satisfactory attendance at secondary school or in a course of study leading to a certificate of general equivalency, in the case of a recipient who has not completed secondary school or received such a certificate;

- D. Able to meet requirements under a State program funded under part A of title IV of the Social Security Act (42 U.S.C. Section 601 et seq.) or under any other welfare program of the State in which PHA is located including a State-administered Welfare-to-Work program; or,
- E. A member of a family receiving assistance, benefits, or services under a State program funded under part A of title IV of the Social Security Act (42 U.S.C. Section 601 et seq.), or under any other welfare program of the State¹ in which the PHA is located, including a State-administered Welfare-to-Work program, and has not been found by the State or other administering entity to be in noncompliance with such a program.

PHAs are encouraged to use 30 hours per week as the minimum number of hours for a work activity as described in Section 407(d) of the Social Security Act, and implementing regulations 45 CFR 261.31(1)(a)(1). PHAs can use reasonable guidelines in clarifying this statutory list of work activities in coordination with the Temporary Assistance to Needy Families (TANF) agency, as appropriate (see Notice PIH 2004-17(HA)).

PHAs must describe in its CSSR policy the process to determine which family members are exempt from the requirement, as well as the process for determining any changes to the exempt status of the family member. PHAs provide the family a copy of CSSR policy at initial application and secure certification of receipt as shown in Attachment A, (see 24 CFR 960.605(c)(2)).

PHAs make the final determination whether to grant an exemption from the community service requirement. If a resident does not agree with the PHA's determination, the resident may dispute the decision through the PHA's Grievance Procedures (see 24 CFR Part 966 Subpart B, 24 CFR 960.607(b)).

10. Resident Responsibilities at Lease Execution or Re-examination: At lease execution or re-examination, after the effective date of the adopted policy, all adult members (18 or older) of a public housing resident family must:

- A. Provide documentation, if applicable, that they qualify for an exemption; (Documentation provided by the tenant will be used by the PHA to determine whether the tenant is exempt from the CSSR) and,
- B. Sign a certification (examples provided in Attachments A and B) that they have received and read the policy and understand that if they are not exempt, failure to comply with the community service requirement will result in nonrenewal of their lease, per 24 CFR 966.4(1)(2)(iii)(D).

When a non-exempt person becomes exempt, it is his or her responsibility to report this to the PHA and provide documentation. When an exempt person becomes non-exempt, it is his or her responsibility to report this to the PHA as soon as possible.

11. Documentation of CSSR Completion: PHAs must include in the CSSR policy that exemption/CSSR completion is verified annually by the PHA. At least 30 days before the annual reexamination and/or lease expiration, the PHA reviews the exempt or nonexempt status and compliance of non-exempt family members (see 24 CFR 960.605(c)(3)). At each regularly scheduled rent re-examination, each non-exempt family member presents a signed certification on a form provided by the PHA of CSSR activities performed over the previous twelve (12) months. PHAs must obtain third-party verification of CSSR completion administered through outside organizations. Each PHA develops a standardized form with places for signature confirmation by supervisors, instructors, or counselors certifying the number of hours contributed. Additional supporting documentation may be requested of the resident to verify CSSR participation or

¹ HUD has determined that the Supplemental Nutrition Assistance Program (SNAP) qualifies as a welfare program of the state. Therefore, if a tenant is a member of family receiving assistance under SNAP, and has been found by the administering State to be in compliance with the program requirements, that tenant is exempt from the CSSR.

exempt status. Copies of the certification forms and supporting documentation must be retained in PHA files.

12. Noncompliant Residents: PHAs may not evict a family due to CSSR non-compliance. However, if PHA finds a tenant is non-compliant with CSSR, then the PHA must provide written notification to the tenant of the noncompliance which must include:

- A. A brief description of the finding of non-compliance with CSSR.
- B. A statement that the PHA will not renew the lease at the end of the current 12-month lease term unless the tenant enters into a written work-out agreement with the PHA or the family provides written assurance that is satisfactory to the PHA explaining that the tenant or other noncompliant resident no longer resides in the unit. Such written work-out agreement must include the means through which a noncompliant family member will comply with the CSSR requirement.

The tenant may request a grievance hearing on the PHA determination, in accordance with 24 CFR Part 966, subpart B, and the tenant may exercise any available judicial remedy to seek timely redress for the PHA's nonrenewal of the lease because of such determination.

13. Enforcement Documentation: Should a family member refuse to sign a written work-out agreement, or fail to comply with the terms of the work-out agreement, PHAs are required to initiate termination of tenancy proceedings at the end of the current 12-month lease (see 24 CFR 966.53(c)) due to the fact that the family is failing to comply with lease requirements. When initiating termination of tenancy proceedings, the PHA will provide the following procedural safeguards:

- A. Adequate notice to the tenant of the grounds for terminating the tenancy and for non-renewal of the lease;
- B. Right of the tenant to be represented by counsel;
- C. Opportunity for the tenant to refute the evidence presented by the PHA, including the right to confront and cross-examine witnesses and present any affirmative legal or equitable defense which the tenant may have; and,
- D. A decision on the merits.

14. 50058 Coding: The Instruction Booklet for Form HUD 50058 contains information on coding CSSR status. At the time of program admission, enter either 3 or 4. At each annual re-examination, enter code 1, 2, or 4. See below:

- 1 - PHA determines resident is *not exempt* and is *in compliance* with CSSR
- 2 - PHA determines resident is *not exempt* and *not complying* with CSSR
- 3 - PHA is in the process of verifying CSSR compliance
- 4 - PHA determines resident is exempt
- 5 - Do not use this code for "not applicable" under any circumstance

15. Monitoring: HUD has re-instated the generation of the Community Service and Self-Sufficiency monitoring report on a quarterly basis. The monitoring report includes tenants that have reported Wage or Welfare incomes on the HUD-50058. The monitoring report does not exclude tenants with disabilities. The report will be posted on the REAC web site and access will be provided to all affected PHAs. REAC will be sending an e-mail to each PHA listed on the CSSR report advising them of the content of the report and explaining the steps necessary to make corrections and changes in PIC as appropriate.

The Department requests through this Notice that all PHAs review the 50058 coding reported for CSSR in the PIC system for their residents and update any that do not conform to these instructions. PHAs must be

prepared to supply adequate supporting documentation as listed in Section 9 – Exempt Residents, Section 12 – Noncompliant Residents and Section, and 11 – Resident Responsibilities at Lease Execution or Re-examination above in the case of a review or audit.

- 16. Sanctions Against PHAs:** Section 6(j)(4)(A) of the United States Housing Act of 1937 provides sanctions against any housing authority failing to comply substantially with any provision of the Act relating to the public housing program. Sanctions include, but are not limited to, terminating, withholding, or reducing assistance payments. These sanctions are applicable to housing authorities failing to substantially comply with the CSSR requirement.
- 17. Further Information:** Direct inquiries to Todd Thomas of the Office of Public Housing and Voucher Programs at (678)732-2056.
- 18. Paperwork Reduction:** The information collection requirements contained in this Notice have been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3520) and assigned OMB control numbers 2577-0083 and 2577-0226.

/s/

Lourdes Castro Ramírez
Principal Deputy Assistant Secretary
for Public and Indian Housing

Community Services and Self-Sufficiency Requirement Certification
For Non-Exempt Individuals

Entrance Acknowledgement

Date:

Participant Name:

I have received and read the Community Services and Self Sufficiency Requirement. I understand that as a resident of public housing, I am required by law to contribute 8 hours per month (96 hours over the course of a year) of community service or participate in an economic self-sufficiency program. I further understand that if I am not exempt, failure to comply with CSSR is grounds for lease nonrenewal. My signature below certifies I received notice of this requirement at the time of initial program participation.

Signature: _____

Date of Signature: _____

Community Services and Self-Sufficiency Requirement Certification
For Non-Exempt Individuals

Annual Renewal

Date:

Participant Name:

I understand that as a resident of public housing, I am required by law to contribute 8 hours per month (96 hours over the course of a year) of community service or participate in an economic self-sufficiency program.

Signature: _____

Date of Signature: _____

APPENDIX F
VIOLENCE AGAINST WOMEN ACT (VAWA) POLICY

Monroe Housing Authority Violence Against Women Act (VAWA) Policy

Goals:

- To protect the rights of victims of domestic violence, dating violence, and stalking. To secure and maintain housing for victims, and ensure they are not victimized a second time by being denied housing or losing housing because of acts perpetrated against them.

Objectives:

- To let applicants and participants of the Housing Authority know of their rights under the VAWA;
- To implement VAWA as victims come forward to make claims;
- To educate participating landlords to assist them to protect the rights of victims and to avoid evictions where the victim can certify they qualify for protection;
- To link victims with resources in the community that can assist them with services;
- To work with the Domestic Violence service providers to develop housing options for victims of domestic violence.

MHA Policy

The Housing Authority will not knowingly deny assistance to otherwise eligible applicants simply because they have been victims of domestic violence, dating violence, sexual assault, or stalking.

The Housing Authority will not knowingly terminate the assistance of otherwise compliant persons simply because they are victims of domestic violence, dating violence, sexual assault, or stalking.

The Housing Authority will educate applicants and participants of their rights under VAWA.

The Housing Authority will work to educate landlords about VAWA and the rights of victims under the Act, and to work with landlord's and victims to protect the housing assistance of victims and their families.

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