



# Housing Authority of the City of Annapolis Admission and Continued Occupancy Policy

1217 Madison Street  
Annapolis Maryland 21403  
410 -267-8000  
TDD/TYY: Dial 711

~~Vincent O. Leggett~~ Richard Walton,  
Interim Executive Director

~~March 11~~ APRIL 14, 2016~~14~~



EQUAL HOUSING  
OPPORTUNITY



2010 REVISED ACOP – BOARD RESOLUTION NO. 072710-26- AUGUST 24, 2010  
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Legal Aid Comments on behalf of Resident Advisory Board April 7 and 11 2011

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## **ADMISSIONS AND CONTINUED OCCUPANCY POLICY**

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This Admissions and Continued Occupancy Policy defines The Housing Authority of the City of Annapolis's policies for the operation for the Public Housing Program, incorporating Federal, State and local law. If there is any conflict between this policy and laws or regulations, the laws and regulations will prevail.

### **1.0 FAIR HOUSING**

It is the policy of The Housing Authority of the City of Annapolis to fully comply with all Federal, State and local nondiscrimination laws; the Americans with Disabilities Act; and the U. S. Department of Housing and Urban Development regulations governing Fair Housing and Equal Opportunity.

No person shall, on the grounds of race, color, sex, sexual orientation, religion, national or ethnic origin, familial status, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under The Housing Authority of the City of Annapolis's programs.

To further its commitment to full compliance with applicable Civil Rights laws, The Housing Authority of the City of Annapolis will provide Federal/State/local information to applicants/tenants of the Public Housing Program regarding discrimination and any recourse available to them if they believe they may be victims of discrimination. Such information will be made available with the application, and all applicable Fair Housing Information and Discrimination Complaint Forms will be made available at The Housing Authority of the City of Annapolis office. In addition, all written information and advertisements will contain the appropriate Equal Opportunity language and logo.

The Housing Authority of the City of Annapolis will assist any family that believes they have suffered illegal discrimination by providing those copies of the appropriate housing discrimination forms. The Housing Authority of the City of Annapolis will also assist

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them in completing the forms if requested, and will provide them with the address of the nearest HUD office of Fair Housing and Equal Opportunity.

## **2.0 REASONABLE ACCOMMODATION**

Sometimes people with disabilities may need a reasonable accommodation in order to take full advantage of The Housing Authority of the City of Annapolis housing programs and related services. When such accommodations are granted, they do not confer special treatment or advantage for the person with a disability; rather, they make the program accessible to them in a way that would otherwise not be possible due to their disability. This policy clarifies how people can request accommodations and the guidelines The Housing Authority of the City of Annapolis will follow in determining whether it is reasonable to provide a requested accommodation. Because disabilities are not always apparent, The Housing Authority of the City of Annapolis will ensure that all applicants/tenants are aware of the opportunity to request reasonable accommodations.

### **2.1 COMMUNICATION**

Anyone requesting an application will also receive a Request for Reasonable Accommodation form.

Notifications of reexamination, inspection, appointment, or eviction will include information about requesting a reasonable accommodation. Any notification requesting action by the tenant will include information about requesting a reasonable accommodation.

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

### **2.2 QUESTIONS TO ASK IN GRANTING THE ACCOMMODATION**

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- A. Is the requestor a person with disabilities? For this purpose the definition of person with disabilities is different than the definition used for admission. The Fair Housing definition used for this purpose is:

A person with a physical or mental impairment that substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such impairment. (The disability may not be apparent to others, i.e., a heart condition).

If the disability is apparent or already documented, the answer to this question is yes. It is possible that the disability for which the accommodation is being requested is a disability other than the apparent disability. If the disability is not apparent or documented, The Housing Authority of the City of Annapolis will obtain verification that the person is a person with a disability.

- B. Is the requested accommodation related to the disability? If it is apparent that the request is related to the apparent or documented disability, the answer to this question is yes. If it is not apparent, The Housing Authority of the City of Annapolis will obtain documentation that the requested accommodation is needed due to the disability. The Housing Authority of the City of Annapolis will not inquire as to the nature of the disability.
- C. Is the requested accommodation reasonable? In order to be determined reasonable, the accommodation must meet two criteria:
1. Would the accommodation constitute a fundamental alteration? The Housing Authority of the City of Annapolis's business is housing. If the request would alter the fundamental business that The Housing Authority of the City of Annapolis conducts, that would not be reasonable. For instance, The Housing Authority of the City of Annapolis would deny a request to have The Housing Authority of the City of Annapolis do grocery shopping for a person with disabilities.
  2. Would the requested accommodation create an undue financial hardship or

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administrative burden? Frequently the requested accommodation costs little or nothing. If the cost would be an undue burden, The Housing Authority of the City of Annapolis may request a meeting with the individual to investigate and consider equally effective alternatives.

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

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

The cost necessary to carry out approved requests, including requests for physical modifications, will be borne by The Housing Authority of the City of Annapolis if there is no one else willing to pay for the modifications. If another party pays for the modification, The Housing Authority of the City of Annapolis will seek to have the same entity pay for any restoration costs.

If the tenant requests as a reasonable accommodation that they be permitted to make physical modifications at their own expense, The Housing Authority of the City of Annapolis will generally approve such request if it does not violate codes or affect the structural integrity of the unit.

Any request for an accommodation that would enable a tenant to materially violate essential lease terms will not be approved, i.e. allowing nonpayment of rent, destruction of property, disturbing the peaceful enjoyment of others, etc.

### **3.0 SERVICES FOR NON-ENGLISH SPEAKING APPLICANTS AND RESIDENTS**

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The Housing Authority of the City of Annapolis will endeavor to have access to people who speak languages other than English in order to assist non-English speaking families.

#### **4.0 FAMILY OUTREACH**

The Housing Authority of the City of Annapolis 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, minority media, and by other suitable means.

To reach people who cannot or do not read the newspapers, The Housing Authority of the City of Annapolis will distribute fact sheets to the broadcasting media and initiate personal contacts with members of the news media and community service personnel. The Housing Authority of the City of Annapolis will also try to utilize public service announcements.

The Housing Authority of the City of Annapolis 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.

#### **5.0 RIGHT TO PRIVACY**

All adult members of both applicant and tenant 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 Privacy Act Statement.

Any request for applicant or tenant information will not be released unless there is a signed release of information request from the applicant or tenant. Electronic Income Verification (EIV) for anyone over the age of 18 can not be provided to anyone other than the person whose income was verified. For youth under the age of 18, only the Head of Household on the same HACA lease as the youth can have access to that youth's EIV information. All EIV information requests must be made in writing.

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## 6.0 REQUIRED POSTINGS

The Housing Authority of the City of Annapolis will post, at its main office located at 1217 Madison Street, in a conspicuous place and at a height easily read by all persons including persons with mobility disabilities, the following information:

- A. Statement of Policies and Procedures governing Admission and Continued Occupancy
- B. Notice of the status of the waiting list (opened or closed)
- C. A listing of all the developments by name, address, number of units, units designed with special accommodations, address of all project offices, office hours, telephone numbers, TDD numbers, and Resident Facilities and operation hours
- D. Income Limits for Admission
- E. Excess Utility Charges
- F. Utility Allowance Schedule
- G. Current Schedule of Routine Maintenance Charges
- H. Dwelling Lease
- I. Grievance Procedure
- J. Fair Housing Poster
- K. Equal Opportunity in Employment Poster

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- L. Resident Safety Policy
- M. Violence Against Women Act Policy
- N. Non Smoking Policy
- O. Non Car Washing Policy
- P. Banning Policy
- Q. Any current Housing Authority of the City of Annapolis Notices

## **7.0 TAKING APPLICATIONS**

Families wishing to apply for the Public Housing Program will be required to complete an application for housing assistance. An application may be mailed to a potential applicant; however, applications will only be accepted in person during the hours of 9 AM to 4 PM M- F at: 1217 Madison Street Annapolis Maryland.

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

The completed application will be dated and time stamped upon its return to The Housing Authority of the City of Annapolis.

Persons with disabilities who require a reasonable accommodation in completing an application may call The Housing Authority of the City of Annapolis to make special

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arrangements. A Telecommunication Device for the Deaf (TDD) is available for the deaf. The TDD/TYY ACCESS NUMBER CAN BE REACHED BY DAILING: 711 ON ANY TELEPHONE.

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. This first phase results in the family's placement on the waiting list based on date and time of application, and preferences being assigned.

Upon receipt of the family's pre-application, The Housing Authority of the City of Annapolis will make a preliminary determination of eligibility. The Housing Authority of the City of Annapolis will notify the family in writing of the date and time of placement on the waiting list, and the approximate wait before housing may be offered. If The Housing Authority of the City of Annapolis determines the family to be ineligible, the notice will state the reasons therefore and will offer the family the opportunity of an informal review of the determination.

The applicant may at any time report changes in their applicant status including changes in family composition, income, or preference factors. The Housing Authority of the City of Annapolis will annotate the applicant's file and will update their place on the waiting list. Confirmation of the changes will be confirmed with the family in writing.

The second phase is the final determination of eligibility, referred to as the full application. The full application takes place when the family nears the top of the waiting list. The Housing Authority of the City of Annapolis will ensure that verification of all eligibility, suitability, preferences, and selection factors are current in order to determine the family's final eligibility for admission into the Public Housing Program.

## **8.0 ELIGIBILITY FOR ADMISSION**

### **8.1 INTRODUCTION**

There are five eligibility requirements for admission to public housing: qualifies as a

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family, has an income within the income limits, meets citizenship/eligible immigrant criteria, provides documentation of Social Security numbers, and signs consent authorization documents. In addition to the eligibility criteria, families must also meet The Housing Authority of the City of Annapolis screening criteria in order to be admitted to public housing.

## 8.2 ELIGIBILITY CRITERIA

### A. Family status.

1. A **family with or without children**. Such a family is defined as a group of people related by blood, marriage, adoption or affinity that live together in a stable family relationship, regardless of actual or perceived sexual orientation, gender identity, or marital status.
  - a. Children temporarily absent from the home due to placement in foster care are considered family members.
  - b. Unborn children and children in the process of being adopted are considered family members for the purpose of determining bedroom size but are not considered family members for determining income limit.
2. An **elderly family**, which is:
  - a. A family whose head, **co-head**, spouse, or sole member is a person who is at least 62 years of age;
  - b. Two or more persons who are at least 62 years of age living together; or
  - c. One or more persons who are at least 62 years of age living with one or more live-in aides.

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3. A **near-elderly family**, which is:
  - a. A family whose head, co-head, spouse, or sole member is a person who is at least 50 years of age but below the age of 62;
  - b. Two or more persons, who are at least 50 years of age but below the age of 62, living together; or
  - c. One or more persons, who are at least 50 years of age but below the age of 62, living with one or more live-in aides.
4. A **disabled family**, which is:
  - a. A family whose head, co-head, spouse, or sole member is a person with disabilities;
  - b. Two or more persons with disabilities living together; or
  - c. One or more persons with disabilities living with one or more live-in aides.
5. A **displaced family**, which is a family in which each member, or whose sole member, has been displaced by governmental action, or whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to disaster relief laws.
6. A **remaining member of a tenant family** - To be considered the remaining member of the tenant family, the person must have been previously approved by the HACA to be living in the unit for at least one year.
7. A **single person** who may be is not an elderly or displaced person, a person with disabilities, near elderly person, ~~or~~ the remaining member of a

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tenant family, or any other single person.

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**B. Income eligibility**

1. To be eligible for admission to development units that were available for occupancy before 10/1/81, the family's annual income must be within the low-income limit set by HUD. This means the family income cannot exceed 80 percent of the median income for the area.
2. To be eligible for admission to development units that became available on or after 10/1/81, the family's annual income must be within the very low-income limit set by HUD, unless HUD grants an exception. This means that without a HUD exception, the family income cannot exceed 50 percent of the median income for the area.
3. Income limits apply only at admission and are not applicable for continued occupancy. (For the 1-28-04 income limits for Anne Arundel County, see Attachment "A")
4. A family may not be admitted to the public housing program from another assisted housing program (e.g., tenant-based Section 8) or from a public housing program operated by another housing authority without meeting the income requirements of The Housing Authority of the City of Annapolis.
5. If the Housing Authority of the City of Annapolis acquires a property for public housing purposes, the families living there must have incomes within the low-income limit in order to be eligible to remain as public housing tenants.
6. Income limit restrictions do not apply to families transferring within our Public Housing Program.

**C. Citizenship/Eligibility Status**

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1. To be eligible each member of the family must be a citizen, national, or a noncitizen who has eligible immigration status under one of the categories set forth in Section 214 of the Housing and Community Development Act of 1980 (see 42 U.S.C. 1436a(a)).
2. Family eligibility for assistance.
  - a. A family shall not be eligible for assistance unless every member of the family residing in the unit is determined to have eligible status, with the exception noted below.
  - b. Despite the ineligibility of one or more family members, a mixed family may be eligible for one of three types of assistance. (See Section 13.6 for calculating rents under the noncitizen rule)
  - c. A family without any eligible members and receiving assistance on June 19, 1995 may be eligible for temporary deferral of termination of assistance.

D. Social Security Number Documentation

To be eligible, all family members provide a Social Security Card.

E. Signing Consent Forms

1. In order to be eligible, each member of the family who is at least 18 years of age, and each family head and spouse regardless of age, shall sign one or more consent forms.
2. The consent form must contain, at a minimum, the following:
  - a. A provision authorizing HUD or The Housing Authority of the City of Annapolis to obtain from State Wage Information

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Collection Agencies (SWICAs) any information or materials necessary to complete or verify the application for participation or for eligibility for continued occupancy; and

- b. A provision authorizing HUD or The Housing Authority of the City of Annapolis to verify with previous or current employers income information pertinent to the family's eligibility for or level of assistance;
- c. A provision authorizing HUD to request income information from the IRS and the SSA for the sole purpose of verifying income information pertinent to the family's eligibility or level of benefits; and
- d. A statement that the authorization to release the information requested by the consent form expires 15 months after the date the consent form is signed.

### 8.3 SUITABILITY

- A. Applicant families will be evaluated to determine whether, based on their recent behavior, such behavior could reasonably be expected to result in noncompliance with the public housing lease. The Housing Authority of the City of Annapolis will look at past conduct as an indicator of future conduct. Emphasis will be placed on whether a family's admission could reasonably be expected to have a detrimental effect on the development environment, other tenants, The Housing Authority of the City of Annapolis employees, or other people residing in the immediate vicinity of the property. Otherwise eligible families will be denied admission if they fail to meet the suitability criteria.
- B. The Housing Authority of the City of Annapolis will consider objective and reasonable aspects of the family's background, including the following:
  - 1. Incidences of not meeting financial obligations, especially rent;

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2. Lack of ability to maintain (or with assistance would have the ability to maintain) their housing in a decent and safe condition based on living or housekeeping habits and whether such habits could adversely affect the health, safety, or welfare of other tenants;
  3. Incidences of criminal activity by any household member involving crimes of physical violence against persons or property and any other criminal activity including drug-related criminal activity that would adversely affect the health, safety, or well being of other tenants or staff or cause damage to the property; as well as incidents of being on HACA's banning list.
  4. Incidences of disturbing neighbors or destruction of property;
  5. Having committed fraud in connection with any housing assistance program, including the intentional misrepresentation of information related to their housing application or benefits derived there from; and
  6. Incidences of abusing alcohol in a way that may interfere with the health, safety, or right to peaceful enjoyment by others.
- C. The Housing Authority of the City of Annapolis will ask applicants to provide information demonstrating their ability to comply with the essential elements of the lease. The Housing Authority of the City of Annapolis will verify the information provided. Such verification may include but may not be limited to the following:
1. A credit check of the head, spouse and co-head;
  2. A rental history check of all adult family members;
  3. Work history to determine a pattern of stable employment.
  4. A criminal background check on all adult household members, including live-in aides. This check will be made through State or local law enforcement or court records. Where the individual has lived outside the

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- local area, The Housing Authority of the City of Annapolis may contact law enforcement agencies where the individual had lived or request a check through the FBI's National Crime Information Center (NCIC);
5. A home visit. The home visit provides the opportunity for the family to demonstrate their ability to maintain their home in a safe and sanitary manner. This inspection considers cleanliness and care of rooms, appliances, and appurtenances. The inspection may also consider any evidence of criminal activity; and
  6. A check of the State's lifetime sex offender registration program for each Adult household member, including live-in aides. No individual registered with this program will be admitted to public housing.

#### **8.4 GROUNDS FOR DENIAL**

The Housing Authority of the City of Annapolis is not required or obligated to assist applicants who:

- A. Do not meet any one or more of the eligibility criteria;
- B. Do not supply information or documentation required by the application process;
- C. Have failed to respond to a written request for information or a request to declare their continued interest in the program;
- D. Have incidences of not meeting financial obligations, especially rent;
- E. Do not have the ability to maintain (with assistance) their housing in a decent and safe condition where such habits could adversely affect the health, safety, or welfare of other tenants;
- F. Have incidences of criminal activity by any household member involving crimes of physical violence against persons or property and any other criminal activity

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including drug-related criminal activity that would adversely affect the health, safety, or well being of other tenants or staff or cause damage to the property;

- G. Have incidences of disturbing neighbors or destruction of property;
- H. Currently owes rent or other amounts to any housing authority in connection with their public housing or Section 8 programs;
- I. Have committed fraud, bribery or any other corruption in connection with any housing assistance program, including the intentional misrepresentation of information related to their housing application or benefits derived there from;
- J. Were evicted from assisted housing within three years of the projected date of admission because of drug-related criminal activity involving the personal use or possession for personal use;
- K. Were evicted from assisted housing within five years of the projected date of admission because of drug-related criminal activity involving the illegal manufacture, sale, distribution, or possession with the intent to manufacture, sell, distribute a controlled substance as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. 802;
- L. Are illegally using a controlled substance or are abusing alcohol in a way that may interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents. The Housing Authority of the City of Annapolis may waive this requirement if:
  - 1. The person demonstrates to The Housing Authority of the City of Annapolis's satisfaction that the person is no longer engaging in drug-related criminal activity or abuse of alcohol;
  - 2. Has successfully completed a supervised drug or alcohol rehabilitation program;

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3. Has otherwise been rehabilitated successfully; or

- M. Have engaged in or threatened abusive or violent behavior towards any The Housing Authority of the City of Annapolis staff or residents;
- N. Have an applicant member who has ever been evicted from public housing;
- O. Have a family household member who has been terminated under the certificate or voucher program;
- P. **Denied for Life:** Any-Has household that includes a person subject to a lifetime registration under a State sex offender registration program.
- Q. **Denied for Life:** If any family member has been convicted of manufacturing producing methamphetamine in a public housing development or in a Housing Choice Voucher Program (HCVP) assisted property or in a federally assisted housing program-
- R. Currently engaged in illegal drug use or threatening activity. A PHA must prohibit admission of household with a member who:
  - a. The PHA determines is currently engaging in illegal use of a drug, or
  - b. The PHA determines that it has reasonable cause to believe that a household member's illegal drug use, pattern of illegal drug use, abuse of alcohol, or pattern of abuse of alcohol may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents.

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## 8.5 INFORMAL REVIEW

- A. If the Housing Authority of the City of Annapolis determines that an applicant does not meet the criteria for receiving public housing assistance, The Housing Authority of the City of Annapolis will promptly provide the applicant with written notice of the determination. The notice must contain a brief statement of the reason(s) for the decision and state that the applicant may request an informal review of the decision within 10 business days of the denial. The Housing

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Authority of the City of Annapolis will describe how to obtain the informal review.

The informal review may be conducted by any person designated by The Housing Authority of the City of Annapolis, other than a person who made or approved the decision under review or subordinate of this person. The applicant must be given the opportunity to present written or oral objections to The Housing Authority of the City of Annapolis's decision. The Housing Authority of the City of Annapolis must notify the applicant of the final decision within 14 calendar days after the informal review, including a brief statement of the reasons for the final decision.

- B. The participant family may request that The Housing Authority of the City of Annapolis provide for an Informal Hearing after the family has notification of an INS decision on their citizenship status on appeal, or in lieu of request of appeal to the INS. This request must be made by the participant family within 30 days of receipt of the Notice of Denial or Termination of Assistance, or within 30 days of receipt of the INS appeal decision.

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

## **9.0 MANAGING THE WAITING LIST**

### **9.1 OPENING AND CLOSING THE WAITING LIST**

Opening of the waiting list will be announced with a public notice stating that applications for public housing will again be accepted. The public notice will state where, when, and how to apply. The notice will be published in a local newspaper of general circulation and also by any available minority media. The public notice will state any limitations to who may apply.

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The notice will state that applicants already on waiting lists for other housing programs must apply separately for this program and such applicants will not lose their place on other waiting lists when they apply for public housing. The notice will include the Fair Housing logo and slogan and will be in compliance with Fair Housing requirements.

Closing of the waiting list will also be announced with a public notice. The public notice will state the date the waiting list will be closed and for what bedroom sizes. The public notice will be published in a local newspaper of general circulation and also by any available minority media.

## **9.2 ORGANIZATION OF THE WAITING LIST**

HACA will maintain a Site Based Wait List system and will accept applications at its administrative office and at each development owned and/or managed under its jurisdiction. Each applicant will have an opportunity to select three developments that is most suitable to meet the housing needs of the applicant household..

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

- A. The application will be a permanent file;
- B. All applications will be maintained in order of bedroom size, and then in order of date and time of application; and preferences.
- C. Any contacts between The Housing Authority of the City of Annapolis and the applicant will be documented in the applicant file.

## **9.3 FAMILIES NEARING THE TOP OF THE WAITING LIST**

When a family appears to be within three (3) months of being offered a unit, the family will be invited to an interview and the verification process will begin. It is at this point in time that the family's waiting list preference will be verified. If the family no longer qualifies to be near the top of the list, the family's name will be returned to the appropriate spot on the waiting list. The Housing Authority of the City of Annapolis will

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notify the family in writing of this determination and give the family the opportunity for an informal review.

Once the preference has been verified, the family will complete a full application, present Social Security Card information, citizenship/eligible immigrant information, and sign the Consent for Release of Information forms.

#### **9.4 PURGING THE WAITING LIST**

The Housing Authority of the City of Annapolis will update and purge its waiting list at least annually to ensure that the pool of applicants reasonably represents the interested families for whom The Housing Authority of the City of Annapolis has current information, i.e. applicant's address, family composition, income category, and preferences.

#### **9.5 REMOVAL OF APPLICANTS FROM THE WAITING LIST**

The Housing Authority of the City of Annapolis will not remove an applicant's name from the waiting list unless:

- A. The applicant requests in writing that the name be removed;
- B. The applicant fails to respond to a written request for information or a request to declare their continued interest in the program; or
- C. The applicant does not meet either the eligibility or suitability criteria for the program.

#### **9.6 MISSED APPOINTMENTS**

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

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The Housing Authority of the City of Annapolis will allow the family to reschedule for good cause. Generally, no more than one opportunity will be given to reschedule without good cause, and no more than two opportunities will be given for good cause. When good cause exists for missing an appointment, The Housing Authority of the City of Annapolis will work closely with the family to find a more suitable time. Applicants will be offered the right to an informal review before being removed from the waiting list.

#### **9.7 NOTIFICATION OF NEGATIVE ACTIONS**

Any applicant whose name is being removed from the waiting list will be notified by the Housing Authority of the City of Annapolis, in writing, that they have ten (10) calendar days from the date of the written correspondence to present mitigating circumstances or request an informal review. The letter will also indicate that their name will be removed from the waiting list if they fail to respond within the timeframe specified. The Housing Authority of the City of Annapolis system of removing applicant names from the waiting list will not violate the rights of persons with disabilities. If an applicant claims that their failure to respond to a request for information or updates was caused by a disability, The Housing Authority of the City of Annapolis will verify that there is in fact a disability and the disability caused the failure to respond, and provide a reasonable accommodation. An example of a reasonable accommodation would be to reinstate the applicant on the waiting list based on the date and time of the original application and preferences.

#### **9.8 WAITING LIST PREFERENCES**

A preference does not guarantee admission to the program. Preferences are used to establish the order of placement on the waiting list. Every applicant must meet the HACA's Selection Criteria as defined in this policy.

The HACA's preference system will work in combination with requirements to match the characteristics for the family to the type of unit available, including units with targeted populations, in public housing. When such matching is required or permitted by current law, the HACA will give preference to qualified families. Each preference will be assigned points based on the weight of the preference for ranking

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Families who reach the top of the waiting list will be contacted by the HACA to verify their preference and, if verified, the HACA will complete a full application for occupancy. Applicants must complete the application for occupancy and continue through the application processing and may not retain their place on the waiting list if they refuse to complete their processing when contacted by the HACA.

The HACA places applicants on the waiting lists based upon the date and time of application and eligibility for a weighted selection preference as set forth below:

- |      |        |                                     |
|------|--------|-------------------------------------|
| • 11 | Points | Local Resident-Displacement         |
| • 10 | Points | Non Resident-Displacement           |
| • 9  | Points | Local Resident-Working Preference   |
| • 8  | Points | Non Resident-Working Preference     |
| • 7  | Points | Local Resident-Veteran              |
| • 6  | Points | Non Resident-Veteran                |
| • 5  | Points | Local-Self Sufficiency              |
| • 4  | Points | Non-Resident Self Sufficiency       |
| • 3  | Points | Local Resident-Sub Standard Housing |
| • 2  | Point  | No Resident-Sub Standard Housing    |
| • 1  | Point  | Local Resident, No Preference       |

**This selection preference is available to:**

**11 Points – Displaced Local Resident:**

(a) individuals or families displaced by government action (i.e. required to move by any level of government: federal, state or local) or whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to federal disaster relief laws.

(b) individuals who have been displaced by domestic violence and can document such:

- Domestic violence is when one person purposely causes physical or psychologically harm to another person they are dating, including sexual assault, physical abuse, and psychological/emotional abuse.

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- Dating Violence and abuse, also called intimate partner violence, is when one person purposely causes either physical or mental harm to another, including:
  - ✓ Physical abuse
  - ✓ Psychological or emotional abuse
  - ✓ Sexual assault
  - ✓ Stalking
  - ✓ Isolation (controlling all of the victim’s money, shelter, time, food, etc.)

(c) individuals or families who have been subjected to documented reprisals and/or hate crime. A hate crime is actual or threatened physical violence or intimidation that is directed against a person or his/her property. It must be based on the person's race, color, religion, sex, national origin, handicap/disability or familial status; and/or

(d) individuals displaced due to the inaccessibility of a unit.

**10 Points – Displaced Non-Local Resident:**

(a) individuals or families displaced by government action (i.e. required to move by any level of government: federal, state or local) or whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to federal disaster relief laws.

(b) individuals who have been displaced by domestic violence and can document such:

- Domestic violence is when one person purposely causes physical or psychologically harm to another person they are dating, including sexual assault, physical abuse, and psychological/emotional abuse.
- Dating Violence and abuse, also called intimate partner violence, is when one person purposely causes either physical or mental harm to another, including:
  - ✓ Physical abuse
  - ✓ Psychological or emotional abuse
  - ✓ Sexual assault
  - ✓ Stalking
  - ✓ Isolation (controlling all of the victim’s money, shelter, time, food, etc.)

(c) individuals or families who have been subjected to documented reprisals and/or hate crime. A hate crime is actual or threatened physical violence or intimidation that is directed against a

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person or his/her property. It must be based on the person's race, color, religion, sex, national origin, handicap/disability or familial status; and/or  
(d) individuals displaced due to the inaccessibility of a unit.

**9 Points – Local Resident Working Preference:**

This selection preference is available to individuals or families where

(a) the head of household must work for wages, commissions, or other consideration of value and demonstrate full-time employment (32 hours or more per week) for, at least, twelve (12) months immediately prior to the date of placement. It must be apparent that the full-time employment is of a continuous, as opposed to a temporary nature, and the head of household must anticipate such continuous employment after the date of placement. Self-employed individuals may qualify for this selection preference if the head of household is able to demonstrate twelve (12) months of full-time self-employment (32 hours or more per week) immediately prior to the date of placement;

(b) the head of household is legally employed by an employer in a part-time capacity. The head of household must work for wages, commissions, or other consideration of value and can demonstrate part-time employment (20-31 hours per week) for, at least, twelve (12) months prior to the date of placement. It must be apparent that the part-time employment is of a continuous, as opposed to a temporary nature, and the head of household must anticipate such continuous employment after the date of placement. Self-employed individuals may qualify for this selection preference if the head of household is able to demonstrate twelve (12) months of part-time self-employment, of not fewer than twenty (20) hours per week, immediately prior to the date of placement.

(c) An applicant will be given the benefit of the working family preference if the head and spouse, or sole member is age 62 or older, or is a person with disabilities.

**8 Points – Non Local Resident Working Preference:**

This selection preference is available to individuals or families where

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(a) the head of household must work for wages, commissions, or other consideration of value and demonstrate full-time employment (32 hours or more per week) for, at least, twelve (12) months immediately prior to the date of placement. It must be apparent that the full-time employment is of a continuous, as opposed to a temporary nature, and the head of household must anticipate such continuous employment after the date of placement. Self-employed individuals may qualify for this selection preference if the head of household is able to demonstrate twelve (12) months of full-time self-employment (32 hours or more per week) immediately prior to the date of placement;

(b) the head of household is legally employed by an employer in a part-time capacity. The head of household must work for wages, commissions, or other consideration of value and can demonstrate part-time employment (20-31 hours per week) for, at least, twelve (12) months prior to the date of placement. It must be apparent that the part-time employment is of a continuous, as opposed to a temporary nature, and the head of household must anticipate such continuous employment after the date of placement. Self-employed individuals may qualify for this selection preference if the head of household is able to demonstrate twelve (12) months of part-time self-employment, of not fewer than twenty (20) hours per week, immediately prior to the date of placement.

(c) An applicant will be given the benefit of the working family preference if the head and spouse, or sole member is age 62 or older, or is a person with disabilities.

**7 Points – Local Resident Veteran preference:** this preference is for families where the Head of Household has received an honorable discharge from the United States Armed Services.

**6 Points – Non Local Resident Veteran preference:** for families where the Head of Household has received an honorable discharge from the United States Armed Services.

**5 Points –Local Resident:** This preference is available to individuals or families who live or work in the City of Annapolis.

**4 Points-Local Resident Self-Sufficiency:** This preference is available to individuals or families who are willing to engage in self-sufficiency program to include; but, not limited to programs offered by HACA and its Partner, who participate in community programs,

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employment skills, homeownership and other programs that are available that are designed to improve the quality of life of residents that ultimately move the family from public program assistance to non public program assistance.

**3 Points-Non Resident Self-Sufficiency:** This preference is available to individuals or families who are willing to engage in self-sufficiency program to include; but, not limited to programs offered by HACA and its Partner, who participate in community programs, employment skills, homeownership and other programs that are available that are designed to improve the quality of life of residents that ultimately move the family from public program assistance to non public program assistance.

**2 Points –Local Resident: Living in Substandard Housing:** This preference is available to applicants who live in substandard housing whose dwelling meets one or more of the following criteria:

- Is dilapidated and does not provide safe, adequate shelter and have one or more critical defects or a combination of defects requiring considerable repair; endangers the health, safety and well-being family.
- Does not have operable indoor plumbing.
- Does not have usable flush toilet in the unit for the exclusive use of the family.
- Does not have adequate, safe electrical service.
- Does not have an adequate, safe source of heat.
- Should, but does not, have a kitchen. Single Room Occupancy (SRO) Housing is not standard solely because, it does not contain sanitary and/or food preparation facilities in the unit.
- Has been declared unfit for habitation by a government agency.
- Is overcrowded according to Housing Quality Standards/Local/State Housing Code.
- Families who are residing with friends or relatives on a temporary basis will be included in the definition of “substandard.”
- Families living in overcrowded conditions will be included in the definition of “substandard.”

**1 Point - Non Resident-Substandard Housing:**

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- Is dilapidated and does not provide safe, adequate shelter and have one or more critical defects or a combination of defects requiring considerable repair; endangers the health, safety and well-being family.
- Does not have operable indoor plumbing.
- Does not have usable flush toilet in the unit for the exclusive use of the family.
- Does not have adequate, safe electrical service.
- Does not have an adequate, safe source of heat.
- Should, but does not, have a kitchen. Single Room Occupancy (SRO) Housing is not standard solely because, it does not contain sanitary and/or food preparation facilities in the unit.
- Has been declared unfit for habitation by a government agency.
- Is overcrowded according to Housing Quality Standards/Local/State Housing Code.
- Families who are residing with friends or relatives on a temporary basis will be included in the definition of “substandard.”
- Families living in overcrowded conditions will be included in the definition of “substandard.”

## 9.9 VERIFICATION OF PREFERENCE QUALIFICATION

The family may be placed on the waiting list upon their certification that they qualify for a preference. When the family is selected from the waiting list for the final determination of eligibility, the preference will be verified.

When the HACA anticipates that the family will be notified in the near future to complete a full application, the family will be sent a Preference Verification letter to the applicant's last known address, requesting verification of the family's preference. The HACA will verify the preference before the applicant's interview is conducted.

### Change in Circumstances:

Changes in an applicant's circumstances while on the waiting list may affect the family's entitlement to a preference. Applicants are required to notify the HACA in writing when

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their circumstances change. When an applicant claims an additional preference, s/he will be placed on the waiting list in the proper order of their newly-claimed preference.

#### **9.10. PREFERENCE DENIAL**

If the HACA denies a preference, the applicant will be placed on the waiting list without benefit of the preference.

The HACA will notify the applicant in writing of the reasons why the preference was denied and offer the applicant an opportunity for a review. The applicant will have 10 working days to request the meeting in writing. If the preference denial is upheld as a result of the meeting, or the applicant does not request a meeting, the applicant will be placed on the waiting list without benefit of the preference. Applicants may exercise other rights if they believe they have been discriminated against.

Any applicant who falsifies documents or makes false statements in order to qualify for any preference will be removed from the waiting list with notification to the family.

#### **9.11 FACTORS OTHER THAN PREFERENCES THAT AFFECT SELECTION OF APPLICANTS**

Before applying its preference system, the HACA will first match the characteristics of the available unit to the applicants available on the waiting lists. Factors such as unit size, accessible features, or income mixing, income targeting, or units in housing designated for the elderly limit the admission of families to those characteristics that match the characteristics and features of the vacant unit available.

By matching unit and family characteristics, it is possible that families who are lower on the waiting list may receive an offer of housing ahead of families with an earlier date and time of application.

Any admission mandated by court order related to desegregation or Fair Housing and Equal Opportunity will take precedence over the Preference System. Other admissions required by court order will also take precedence over the preference system. If permitted by the court order, the HACA may offer the family a housing voucher.

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## 10.0 TENANT SELECTION AND ASSIGNMENT PLAN

### 10.1 “NO MORE THAN TWO” ASSIGNMENT OF BEDROOM SIZES

The following guidelines will determine each family’s unit size without overcrowding or over-housing:

Number of Bedrooms	Number of Persons	
	Minimum	Maximum
0	1	2*
1	1	2
2	2	4
3	3	6
4	4	8
5	5	10
6	6	12

These standards are based on the assumption that each bedroom will accommodate no more than two (2) persons. Zero bedroom units will only be assigned to one-person families or legally married couples with no children.\*

In determining bedroom size, The Housing Authority of the City of Annapolis will include the presence of children to be born to a pregnant woman, children who are in the process of being adopted, children whose custody is being obtained, children who are temporarily away at school, or children who are temporarily in foster-care.

In addition, the following considerations may be taken in determining bedroom size:

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- A. Children of the same sex **may** share a bedroom.
- B. Children of the opposite sex, both under the age of five (**5**) may share a bedroom.
- C. Adults and children will not be required to share a bedroom.
- D. Foster – adults and/or foster - children will not be required to share a bedroom with family members.
- E. Live-in aides will get a separate bedroom.

Exceptions to normal bedroom size standards include the following:

- F. Units smaller than assigned through the above guidelines – A family may request a smaller unit size than the guidelines allow. The Housing Authority of the City of Annapolis will allow the smaller size unit so long as generally no more than two (2) people per bedroom are assigned. In such situations, the family will sign a certification stating they understand they will be ineligible for a larger size unit for three (3) years or until the family size changes, whichever may occur first.
- G. Units larger than assigned through the above guidelines – A family may request a larger unit size than the guidelines allow. The Housing Authority of the City of Annapolis will allow the larger size unit if the family provides a verified medical need that the family be housed in a larger unit.
- H. If there are no families on the waiting list for a larger size, smaller families may be housed if they sign a release form stating they will transfer (at the family's own expense) to the appropriate size unit when an eligible family needing the larger unit applies. The family transferring will be given a 30-day notice before being required to move.
- I. Larger units may be offered in order to improve the marketing of a development suffering a high vacancy rate.

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## **10.2 SELECTION FROM THE WAITING LIST**

The Housing Authority of the City of Annapolis shall follow the statutory requirement that at least 40% of newly admitted families in any fiscal year be families whose annual income is at or below 30% of the area median income. (See attachment “A” for a listing of HUD area median incomes for 1-28-04). To insure this requirement is met HACA shall perform quarterly quality assurance monitoring of incomes of the families on the waiting list. If it appears that the requirement to house extremely low-income families will not be met, we will skip higher income families on the waiting list to reach extremely low-income families.

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

The Housing Authority of the City of Annapolis will offer Senior Housing and services for the Glenwood development. Senior Housing is defined as persons 62 years of age or older and Disabled persons 50 years of age or older. Current residents of Glenwood who are non-senior and/or non-senior disabled will have the opportunity to remain at Glenwood or they may request an administrative transfer to another development, owned and managed by HACA.

## **10.3 DE-CONCENTRATION POLICY**

It is The Housing Authority of the City of Annapolis's policy to provide for de-concentration of poverty and encourage income mixing by bringing higher income families into lower income developments and lower income families into higher income developments. Toward this end, we will skip families on the waiting list to reach other families with a lower or higher income. We will accomplish this in a uniform and non-discriminating manner.

The Housing Authority of the City of Annapolis will affirmatively market our housing to all eligible income groups. Lower income residents will not be steered toward lower

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income developments and higher income people will not be steered toward higher income developments.

Prior to the beginning of each fiscal year, we will analyze the income levels of families residing in each of our developments, the income levels of census tracts in which our developments are located, and the income levels of the families on the waiting list. Based on this analysis, we will determine the level of marketing strategies and de-concentration incentives to implement.

#### **10.4 DE-CONCENTRATION INCENTIVES**

The Housing Authority of the City of Annapolis may offer one or more incentives to encourage applicant families whose income classification would help to meet the de-concentration goals of a particular development.

Various incentives may be used at different times, or under different conditions, but will always be provided in a consistent and nondiscriminatory manner.

#### **10.5 OFFER OF A UNIT**

The HACA plan for selection of applicants and assignment of dwelling units to assure equal opportunity and non-discrimination on grounds of race, color, sex, religion, or national origin is called HUD Plan A.

Under this plan, the HACA will administer site-based waiting lists. Each applicant will have the opportunity to select three developments within its jurisdiction that have available units of suitable size and type in the appropriate type of project. Plan A is based on one unit offer. Applicants will have an incentive to accept the unit offer, based on their selection of a preferred development(s.) Unless the applicant has good cause for refusing the unit offered, the applicant will be removed from all waiting lists for that specific program type, once HACA has made an appropriate unit offer. If the applicant rejects a unit for good cause, the applicant will retain their place on the wait list based on selected location, preference, application date and time. The refusal of the unit and the information justifying the refusal of the unit will remain as part of the permanent resident

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file. Examples of good cause include (but are not limited to): changes in the applicant's physical needs, concerns for personal welfare, proximity to family members.

The HACA will maintain a record of units offered, including location, date and circumstances of each offer, each acceptance or rejection, including the reason for the rejection.

#### **10.6 CHANGES PRIOR TO UNIT OFFER**

Changes that occur during the period between of removal from the waiting list and an offer of a suitable unit may affect the family's eligibility or Total Tenant Payment. The family will be notified in writing of changes in their eligibility or level of benefits and offered their right to an informal hearing, when applicable. (See The Grievance Procedure document.)

##### **A. Applicants With a Change in Family Size or Status**

Changes in family composition, status, or income between the time of the interview and the offer of a unit will be processed. The HACA shall not lease a unit to a family whose occupancy will overcrowd or underutilize the unit. (As defined in Section 10.1)

The family will take the appropriate place on the waiting list according to the date they first applied.

#### **10.7 TIME LIMIT FOR ACCEPTANCE OF UNIT**

Applicants must accept a unit offer within **7 business** days of the date the offer is made. Offers made over the telephone will be confirmed by letter. If unable to contact an applicant by telephone, the HACA will send a letter.

##### **Applicants Unable to Take Occupancy**

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If an applicant is unable to take occupancy at the time of the offer for "good cause," the applicant will not be removed from the waiting list.

Examples of "good cause" reasons for the refusal to take occupancy of a housing unit include, but are not limited to:

- An elderly or disabled family makes the decision not to occupy or accept occupancy in designated housing [24 CFR 945.303(d)];
- Inaccessibility to source of employment or children's day care such that an adult household member must quit a job or drop out of an educational institution or a job training program;
- For families who have a family member with a disability, inaccessibility to the medical provider or service provider;
- A qualified, knowledgeable, health professional verifies the temporary hospitalization or recovery from illness of the principal household member, other household members, or a live-in aide necessary to care for the principal household member; or
- The unit is inappropriate for the applicant's disabilities.

## **10.8 REJECTION OF UNIT**

If in making the offer to the family The Housing Authority of the City of Annapolis skipped over other families on the waiting list in order to meet their de-concentration goal or offered the family any other de-concentration incentive and the family rejects the unit, the family will not lose their place on the waiting list and will not be otherwise penalized.

If The Housing Authority of the City of Annapolis did not skip over other families on the waiting list to reach this family, did not offer any other de-concentration incentive, and the family rejects the unit without good cause, the family will forfeit their application's date and time.

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If the family rejects with good cause any unit offered, they will not lose their place on the waiting list. (As defined in 10.7).

If the unit offered is inappropriate for the applicant's disabilities, the family will retain their position on the waiting list.

### **10.9 ACCEPTANCE OF UNIT**

The family will be required to sign a lease that will become effective no later than three (3) business days after the date of acceptance or the business day after the day the unit becomes available, whichever is later.

Prior to signing the lease all families (head of household) and other adult family members will be required to attend the Lease and Occupancy Orientation and a “Good Neighbor” Pre-Occupancy Housekeeping Training when they are initially approved for occupancy. The family will not be housed if they have not attended the orientation. Applicants who provide prior notice of an inability to attend the orientation will be rescheduled. Failure of an applicant to attend the orientation, without good cause, may result in the cancellation of the occupancy process.

The applicant will be provided a copy of the lease, the grievance procedure, utility allowances, utility charges, the current schedule of routine damage charges, and a request for reasonable accommodation form. These documents will be explained in detail. The applicant will sign a certification that they have received these documents and that they have reviewed them with Housing Authority personnel. The certification will be filed in the tenant’s file.

The signing of the lease and the review of financial information are to be privately handled. The head of household and all adult family members will be required to execute the lease prior to admission. One executed copy of the lease will be furnished to the head of household and The Housing Authority of the City of Annapolis will retain the original executed lease in the tenant's file. A copy of the grievance procedure will be attached to the resident’s copy of the lease.

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The family will pay a security deposit at the time of lease signing. The security deposit will be equal to \$50.00 or one month's Total Tenant Payment, whichever is greater, but not to exceed Two Hundred (\$200.00) Dollars.

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 for re-renting, the family shall be billed for these charges.

## **11.0 INCOME, EXCLUSIONS FROM INCOME, AND DEDUCTIONS FROM INCOME**

To determine annual income, The Housing Authority of the City of Annapolis counts the income of all family members, excluding the types and sources of income that are specifically excluded. Once the annual income is determined, The Housing Authority of the City of Annapolis subtracts all mandatory deductions (allowances) to determine the Total Tenant Payment.

### **11.1 INCOME**

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

- Go to (or on behalf of) the family head or spouse (even if temporarily absent) or to any other family member; or
- Are anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date; and
- Are not specifically excluded from annual income.

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Annual income includes, but is not limited to:

- A. The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services.
- B. The net income from the operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness are not used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight-line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession is included in income, except to the extent the withdrawal is a reimbursement of cash or assets invested in the operation by the family.
- C. Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness are not used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight-line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from an investment is included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the family. Where the family has net family assets in excess of \$5,000, annual income includes the greater of the actual income derived from all net family assets or a percentage of the value of such assets based on the current passbook savings rate, as determined by HUD.
- D. The full amount of periodic amounts received from Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefits, and other similar types of periodic receipts, including a lump-sum amount or prospective monthly amounts for the delayed start of a periodic amount. (However, deferred periodic amounts from supplemental security income and Social Security benefits that are received in a lump sum amount or in prospective monthly amounts are excluded.)

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- E. Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation, and severance pay. (However, lump sum additions such as insurance payments from worker's compensation are excluded.)
- F. Welfare assistance.
  - 1. If the welfare assistance payment includes an amount specifically designated for shelter and utilities that is subject to adjustment by the welfare assistance agency in accordance with the actual cost of shelter and utilities, the amount of welfare assistance income to be included as income consists of:
    - a. The amount of the allowance or grant exclusive of the amount specifically designated for shelter or utilities; plus
    - b. The maximum amount that the welfare assistance agency could in fact allow the family for shelter and utilities. If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under this requirement is the amount resulting from one application of the percentage.
  - 2. If the amount of welfare is reduced due to an act of fraud by a family member or because of any family member's failure to comply with requirements to participate in an economic self-sufficiency program or work activity, the amount of rent required to be paid by the family will not be decreased. In such cases, the amount of income attributable to the family will include what the family would have received had they complied with the welfare requirements and/or had not committed an act of fraud.
  - 3. If the amount of welfare assistance is reduced as a result of a lifetime time limit, the reduced amount is the amount that shall be counted as income.

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

## 11.2 ANNUAL INCOME

Annual income does not include the following:

- A. Income from employment of children (including foster children) under the age of 18 years;
- B. Payments received for the care of foster children or foster adults (usually persons with disabilities, unrelated to the tenant family, who are unable to live alone);
- C. Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains, and settlement for personal or property losses;
- D. Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member;
- E. Income of a live-in aide;
- F. The full amount of student financial assistance paid directly to the student or to the educational institution;
- G. The special pay to a family member serving in the Armed Forces who is exposed to hostile fire;
- H. The amounts received from the following programs:

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1. Amounts received under training programs funded by HUD;
2. Amounts received by a person with a disability that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS);
3. Amounts received by a participant in other publicly assisted programs that are specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) and that are made solely to allow participation in a specific program;
4. Amounts received under a resident service stipend. A resident service stipend is a modest amount (not to exceed \$200 per month) received by a resident for performing a service for the Housing Authority or owner, on a part-time basis, that enhances the quality of life in the development. Such services may include, but are not limited to, fire patrol, hall monitoring, lawn maintenance, and resident initiatives coordination. No resident may receive more than one such stipend during the same period of time;
5. Incremental earnings and benefits resulting to any family member from participation in qualifying State or local employment training programs (including training programs not affiliated with a local government) and training of a family member as resident management staff. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives and are excluded only for the period during which the family member participates in the employment training program;
6. Temporary, nonrecurring or sporadic income (including gifts);
7. Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era;

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8. Earnings in excess of \$480 for each full-time student 18 years old or older (excluding the head of household and spouse);
9. Adoption assistance payments in excess of \$480 per adopted child;
10. For family members who enrolled in certain training programs prior to 10/1/99, the earnings and benefits resulting from the participation if the program provides employment training and supportive services in accordance with the Family Support Act of 1988, Section 22 of the 1937 Act (42 U.S.C. 1437t), or any comparable Federal, State, or local law during the exclusion period. For purposes of this exclusion the following definitions apply:
  - a. Comparable Federal, State or local law means a program providing employment training and supportive services that:
    - i. Is authorized by a Federal, State or local law;
    - ii. Is funded by the Federal, State or local government;
    - iii. Is operated or administered by a public agency; and
    - iv. Has as its objective to assist participants in acquiring employment skills.
  - b. Exclusion period means the period during which the family member participates in a program described in this section, plus 18 months from the date the family member begins the first job acquired by the family member after completion of such program that is not funded by public housing assistance under the 1937 Act. If the family member is terminated from employment with good cause, the exclusion period shall end.
  - c. Earnings and benefits mean the incremental earnings and benefits resulting from a qualifying employment training program or subsequent job.

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11. The incremental earnings due to employment during the 12-month period following date of hire shall be excluded. This exclusion (paragraph 11) will not apply for any family who concurrently is eligible for exclusion #10. Additionally, this exclusion is only available to the following families:
  - a. Families whose income increases as a result of employment of a family member who was previously unemployed for one or more years.
  - b. Families whose income increases during the participation of a family member in any family self-sufficiency program.
  - c. Families who are or were, within 6 months, assisted under a State TANF program.

(While HUD regulations allow for the housing authority to offer an escrow account in lieu of having a portion of their income excluded under this paragraph, it is the policy of this housing authority to provide the exclusion in all cases.)

12. Deferred periodic amounts from supplemental security income and Social Security benefits that are received in a lump sum amount or in prospective monthly amounts;
13. Amounts received by the family in the form of refunds or rebates under State or local law for property taxes paid on the dwelling unit;
14. Amounts paid by a State agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home; or

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15. Amounts specifically excluded by any other statute from consideration as income for purposes of determining eligibility or benefits. These exclusions include:
  - a. The value of the allotment of food stamps
  - b. Payments to volunteers under the Domestic Volunteer Services Act of 1973
  - c. Payments received under the Alaska Native Claims Settlement Act
  - d. Income from sub marginal land of the U.S. that is held in trust for certain Indian tribes
  - e. Payments made under HHS's Low-Income Energy Assistance Program
  - f. Payments received under the Job Training Partnership Act
  - g. Income from the disposition of funds of the Grand River Band of Ottawa Indians
  - h. The first \$2000 per capita received from judgment funds awarded for certain Indian claims
  - i. Amount of scholarships awarded under Title IV including Work Study
  - j. Payments received under the Older Americans Act of 1965
  - k. Payments from Agent Orange Settlement
  - l. Payments received under the Maine Indian Claims Act

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- m. The value of child care under the Child Care and Development Block Grant Act of 1990
- n. Earned income tax credit refund payments
- o. Payments for living expenses under the Americorps Program
- p. Additional income exclusions provided by and funded by The Housing Authority of the City of Annapolis

The Housing Authority of the City of Annapolis will not provide exclusions from income in addition to those already provided for by HUD.

### 11.3 DEDUCTIONS FROM ANNUAL INCOME

The following deductions will be made from annual income:

- A. \$480 for each dependent;
- B. \$400 for any elderly family or disabled family;
- C. For any family that is not an elderly or disabled family but has a member (other than the head or spouse) who is a person with a disability, disability assistance expenses in excess of 3% of annual income. This allowance may not exceed the employment income received by family members who are 18 years of age or older as a result of the assistance to the person with disabilities.
- D. For any elderly or disabled family:
  - 1. That has no disability assistance expenses, an allowance for medical expenses equal to the amount by which the medical expenses exceed 3% of annual income;
  - 2. That has disability expenses greater than or equal to 3% of annual income,

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an allowance for disability assistance expenses computed in accordance with paragraph C, plus an allowance for medical expenses that equal the family's medical expenses;

3. That has disability assistance expenses that are less than 3% of annual income, an allowance for combined disability assistance expenses and medical expenses that are equal to the total of these expenses less 3% of annual income.

E. Child care expenses.

## 12.0 VERIFICATION

The Housing Authority of the City of Annapolis will verify information related to waiting list preferences, eligibility, admission, and level of benefits prior to admission. Periodically during occupancy, items related to eligibility and rent determination shall also be reviewed and verified. Income, assets, and expenses will be verified, as well as disability status, need for a live-in aide and other reasonable accommodations; full time student status of family members 18 years of age and older; Social Security numbers; and citizenship/eligible noncitizen status. Age and relationship will only be verified in those instances where needed to make a determination of level of assistance.

### 12.1 ACCEPTABLE METHODS OF VERIFICATION

Age, relationship, U.S. citizenship, and Social Security numbers will generally be verified with documentation provided by the family. For citizenship, the family's certification will be accepted. (Or for citizenship documentation such as listed below will be required.) Verification of these items will include photocopies of the Social Security cards and other documents presented by the family, the INS SAVE approval code, and forms signed by the family.

Income information for Public Housing residents will first be verified using HUD's Electronic Verification (EIV) system. If there is a discrepancy between the tenant's

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reported income and the EIV information then third party verification will be conducted to insure the accuracy of the EIV income data. If there is no discrepancy, then no further verification need be conducted. EIV cannot verify child support payments. Child support income will be verified via the third party process.

Other information will be verified by third party verification. This type of verification includes written documentation with forms sent directly to and received directly by a source, not passed through the hands of the family. This verification may also be direct contact with the source, in person or by telephone. It may also be a report generated by a request from The Housing Authority of the City of Annapolis or automatically by another government agency, i.e. the Social Security Administration. Verification forms and reports received will be contained in the applicant/tenant file. Oral third party documentation will include the same information as if the documentation had been written, i.e. name date of contact, amount received, etc.

When third party verification cannot be obtained, The Housing Authority of the City of Annapolis will accept documentation received from the applicant/tenant. Hand-carried documentation will be accepted if The Housing Authority of the City of Annapolis has been unable to obtain third party verification in a 4-week period of time. Photocopies of the documents provided by the family will be maintained in the file.

When neither third party verification nor hand-carried verification can be obtained, The Housing Authority of the City of Annapolis will accept a notarized statement signed by the head, spouse or co-head. Such documents will be maintained in the file.

## 12.2 TYPES OF VERIFICATION

The chart below outlines the factors that may be verified and gives common examples of the verification that will be sought. To obtain written third party verification, The Housing Authority of the City of Annapolis will send a request form to the source along with a release form signed by the applicant/tenant via first class mail.

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Verification Requirements for Individual Items

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Item to Be Verified	3 <sup>rd</sup> party verification	Hand-carried verification
<b>General Eligibility Items</b>		
Social Security Number	Letter from Social Security, electronic reports	Social Security card
Citizenship	N/A	Signed certification, voter's registration card, birth certificate, etc.
Eligible immigration status	INS SAVE confirmation #	INS card
Disability	Letter from medical professional, SSI, etc	Proof of SSI or Social Security disability payments
Full time student status (if >18)	Letter from school	For high school students, any document evidencing enrollment
Need for a live-in aide	Letter from doctor or other professional knowledgeable of condition	N/A
Child care costs	Letter from care provider	Bills and receipts
Disability assistance expenses	Letters from suppliers, care givers, etc.	Bills and records of payment
Medical expenses	Letters from providers, prescription record from pharmacy, medical professional's letter stating assistance or a companion animal is needed	Bills, receipts, records of payment, dates of trips, mileage log, receipts for fares and tolls
<b>Value of and Income from Assets</b>		
Savings, checking accounts	Letter from institution	Passbook, most current statements
CDS, bonds, etc	Letter from institution	Tax return, information brochure from institution, the CD, the bond
Stocks	Letter from broker or holding company	Stock or most current statement, price in newspaper or through Internet

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Verification Requirements for Individual Items

Item to Be Verified	3 <sup>rd</sup> party verification	Hand-carried verification
Real property	Letter from tax office, assessment, etc.	Property tax statement (for current value), assessment, records or income and expenses, tax return
Personal property	Assessment, bluebook, etc	Receipt for purchase, other evidence of worth
Cash value of life insurance policies	Letter from insurance company	Current statement
Assets disposed of for less than fair market value	N/A	Original receipt and receipt at disposition, other evidence of worth
<b>Income</b>		
Earned income	Letter from employer	Multiple pay stubs (i.e., 4 pay stubs when paid bi-weekly, 6 pay stubs when paid weekly)
Self-employed	N/A	Tax return (schedule C) from prior year, books of accounts
Regular gifts and contributions	Letter from source, letter from organization receiving gift (i.e., if grandmother pays day care provider, the day care provider could so state)	Bank deposits, other similar evidence
Alimony/child support	Court order, letter from source, letter from Human Services	Record of deposits, divorce decree
Periodic payments (i.e., social security, welfare, pensions, workers compensation, unemployment)	Letter or electronic reports from the source	Award letter, letter announcing change in amount of future payments
Training program participation	Letter from program provider indicating - whether enrolled or completed	N/A

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Verification Requirements for Individual Items

Item to Be Verified	3 <sup>rd</sup> party verification	Hand-carried verification
	<ul style="list-style-type: none"> <li>- whether training is HUD-funded</li> <li>- whether Federal, State, local govt., or local program</li> <li>- whether it is employment training</li> <li>- whether it has clearly defined goals and objectives</li> <li>- whether program has supportive services</li> <li>- whether payments are for out-of-pocket expenses incurred in order to participate in a program</li> <li>- date of first job after program completion</li> </ul>	Evidence of job start

**12.3 VERIFICATION OF CITIZENSHIP OR ELIGIBLE NONCITIZEN STATUS**

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

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

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

Prior to being admitted or at the first reexamination, all eligible noncitizen must sign a declaration of their status and a verification consent form and provide their original INS documentation. The Housing Authority of the City of Annapolis will make a copy of the individual's INS documentation and place the copy in the file. The Housing Authority of the City of Annapolis will also verify their status through the INS SAVE system. If the

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INS SAVE system cannot confirm eligibility, The Housing Authority of the City of Annapolis will mail information to the INS in order that a manual check can be made of INS records.

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

Noncitizen students on student visas, though in the country legally, are not eligible to be admitted to public housing.

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

If no family member is determined to be eligible under this section, the family's eligibility will be denied.

The family's assistance will not be denied, delayed, reduced, or terminated because of a delay in the process of determining eligible status under this section, except to the extent that the delay is caused by the family.

If The Housing Authority of the City of Annapolis determines that a family member has knowingly permitted an ineligible noncitizen (other than any ineligible noncitizen listed on the lease) to permanently reside in their public housing unit, the family will be evicted. Such family will not be eligible to be readmitted to public housing for a period of 24 months from the date of eviction or termination.

#### **12.4 VERIFICATION OF SOCIAL SECURITY NUMBERS**

Prior to admission, each family member must provide verification of their Social Security number. New family members at least 6 years of age must provide this verification prior to being added to the lease. Children in assisted households must provide this verification at the first regular reexamination after turning six or earlier if a Social Security Number has been issued.

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The best verification of the Social Security number is the original Social Security card. If the card is not available, HACA will accept letters from the Social Security Agency that establishes and states the number. Documentation from other governmental agencies will also be accepted that establishes and states the number. Driver's licenses, military Is, passports, or other official documents that establish and state the number are also acceptable.

If an individual states that they do not have a Social Security number, they will be required to sign a statement to this effect. HACA will not require any individual who does not have a Social Security number to obtain a Social Security number, however HACA is required to apply for an alternate tenant identification number assigned by HUD.

If a member of an applicant family indicates they have a Social Security number, but cannot readily verify it, the family cannot be housed until verification is provided.

If a member of a tenant family indicates they have a Social Security number, but cannot readily verify it, they shall be asked to certify to this fact and shall have up to sixty (60) days to provide the verification. If the individual is at least 62 years of age, they will be given one hundred and twenty (120) days to provide the verification. If the individual fails to provide the verification within the time allowed, the family will be evicted.

## **12.5 TIMING OF VERIFICATION**

Third party verification information must be dated within ninety (90) days of certification or (60) days of reexamination. If the verification is older than this, the source will be contacted and asked to provide information regarding any changes.

When an interim reexamination is conducted, the Housing Authority will verify and update all information related to family circumstances and level of assistance.

## **12.6 FREQUENCY OF OBTAINING VERIFICATION**

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For each family member, citizenship/eligible non-citizen status will be verified only once. This verification will be obtained prior to admission. Prior to a new member joining the family, their citizenship/eligible non-citizen status will be verified.

For each family member verification of Social Security number will be obtained only once, at the time of admission to the program.

### **13.0 DETERMINATION OF TOTAL TENANT PAYMENT AND TENANT RENT**

#### **13.1 FAMILY CHOICE**

At admission and each year in preparation for their annual reexamination, each family is given the choice of having their rent determined under the formula method or having their rent set at the flat rent amount.

- A. Families who opt for the flat rent will be required to go through the income reexamination process every three years, rather than the annual review they would otherwise undergo.
- B. Families who opt for the flat rent may request to have a reexamination and return to the formula based method at any time for any of the following reasons:
  - 1. The family's income has decreased.
  - 2. The family's circumstances have changed increasing their expenses for child care, medical care, etc.
  - 3. Other circumstances creating a hardship on the family such that the formula method would be more financially feasible for the family.

#### **13.2 THE FORMULA METHOD**

The total tenant payment is equal to the highest of”

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- A. 10% of monthly income
- B. 30% of adjusted monthly income
- C. The minimum rent as established by the HACA

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

The total tenant payment does not include charges for excess utility consumption or other charges.

In the case of a family who has qualified for the income exclusion at Section 11.2(H) (11), upon expiration of the 12 month period described in that section, an additional rent benefit accrues to the family. If the family member's employment continues then for the 12-month period of disallowance, the resulting rent increase will be capped at 50 percent of the rent increase would have otherwise received.

### 13.3 MINIMUM RENT

The Housing Authority of the City of Annapolis has set a minimum rent in accordance with HUD regulations. The resident will be required to pay \$50.00 as the minimum rent, unless HACA grants an exception due to financial hardship.

#### MINIMUM RENT HARDSHIP EXEMPTION

HACA has adopted a minimum rent of \$50.00 per month, under the following criteria HACA may suspend the minimum rent:

When the family has lost eligibility for or is awaiting an eligibility determination for a government assistance program.

When the family would be evicted because it is unable to pay the minimum rent

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When the income of the family has decreased because of changed circumstances including loss of employment

When a death has occurred in the family, and

Other circumstances determined by HACA or HUD

HACA will advise any family who pays the minimum rent of the right to request the exemption. If a family paying minimum rent request a hardship exemption, HACA must suspend the minimum rent, effective the following month. HACA may not evict the family for non-payment of the minimum rent for 90 days following the request for the hardship exemption.

The suspension of minimum rent continues until HACA determines whether or not the hardship is temporary or long term.

If the hardship is verified to be temporary (less than 90 days) HACA will reinstate the minimum rent and offer the family a reasonable repayment agreement of the minimum rent that was suspended.

If the hardship is verified to be long-term (lasting more than 90 days) the minimum rent must be suspended until the hardship ceases. The family may not be evicted for failing to pay the minimum rent while the hardship is occurring.

If HACA denies a resident the minimum rent hardship exemption, the resident is entitled to file a grievance and the HACA may not require the resident to make an escrow deposit to obtain the grievance hearing.

#### **13.4 THE FLAT RENT**

The Housing Authority of the City of Annapolis has set a flat rent for each public housing unit. In doing so, the PHA considered the location, quality, size of unit and the age of the unit; and any amenities, housing services, maintenance and utilities. The flat rent is based on the market rent charged for comparable units in the private unassisted rental

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market. It is equal to the estimated rent for which the PHA could promptly lease the public housing unit after preparation for occupancy. The PHA must use a reasonable method to determine the flat rent for a unit. 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. The amount of the flat rent will be reevaluated annually and adjustments applied. Affected families will be given a 30-day notice of any rent change. Adjustments are applied on the anniversary date for each affected family.

The Housing Authority of the City of Annapolis will post the flat rents at each of the developments and at the central office and are incorporated in this policy upon approval by the Board of Commissioners.

### **13.5 RENT FOR FAMILIES UNDER THE NONCITIZEN RULE**

A mixed family will receive full continuation of assistance if all of the following conditions are met:

- A. The family was receiving assistance on June 19, 1995;
- B. The family was granted continuation of assistance before November 29, 1996;
- C. The family's head or spouse has eligible immigration status; and
- D. The family does not include any person who does not have eligible status other than the head of household, the spouse of the head of household, any parent of the head or spouse, or any child (under the age of 18) of the head or spouse.

If a mixed family qualifies for prorated assistance but decides not to accept it, or if the family has no eligible members, the family may be eligible for temporary deferral of termination of assistance to permit the family additional time for the orderly transition of some or all of its members to locate other affordable housing. Under this provision, the family receives full assistance. If assistance is granted under this provision prior to November 29, 1996, it may last no longer than three (3) years. If granted after that date,

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the maximum period of time for assistance under the provision is eighteen (18) months. The Housing Authority of the City of Annapolis will grant each family a period of six (6) months to find suitable affordable housing. If the family cannot find suitable affordable housing, The Housing Authority of the City of Annapolis will provide additional search periods up to the maximum time allowable.

Suitable housing means housing that is not substandard and is of appropriate size for the family. Affordable housing means that it can be rented for an amount not exceeding the amount the family pays for rent, plus utilities, plus 25%.

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

- A. Determine the 95<sup>th</sup> percentile of gross rents (tenant rent plus utility allowance) for The Housing Authority of the City of Annapolis. The 95<sup>th</sup> percentile is called the maximum rent.
- B. Subtract the family's total tenant payment from the maximum rent. The resulting number is called the maximum subsidy.
- C. Divide the maximum subsidy by the number of family members and multiply the result times the number of eligible family members. This yields the prorated subsidy.
- D. Subtract the prorated subsidy from the maximum rent to find the prorated total tenant payment. From this amount subtract the full utility allowance to obtain the prorated tenant rent.

### **13.6 UTILITY ALLOWANCE**

The Housing Authority of the City of Annapolis shall establish a utility allowance for all check-metered utilities and for all tenant-paid utilities. The allowance will be based on a reasonable consumption of utilities by an energy-conservative household of modest circumstances consistent with the requirements of a safe, sanitary, and healthful environment. In setting the allowance, The Housing Authority of the City of Annapolis

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will review the actual consumption of tenant families as well as changes made or anticipated due to modernization (weatherization efforts, installation of energy-efficient appliances, etc). Allowances will be evaluated at least annually as well as any time utility rate changes by 10% or more since the last revision to the allowances.

The utility allowance will be subtracted from the family's formula rent to determine the amount of the Tenant Rent. The Tenant Rent is the amount the family owes each month to The Housing Authority of the City of Annapolis. The amount of the utility allowance is then still available to the family to pay the cost of their utilities. Any utility cost above the allowance is the responsibility of the tenant. Any savings resulting from utility costs below the amount of the allowance belongs to the tenant.

For The Housing Authority of the City of Annapolis paid utilities, The Housing Authority of the City of Annapolis will monitor the utility consumption of each household. Any consumption in excess of the allowance established by The Housing Authority of the City of Annapolis will be billed to the tenant monthly.

Utility allowance revisions based on rate changes shall be effective retroactively to the first day of the month following the month in which the last rate change took place. Revisions based on changes in consumption or other reasons shall become effective at each family's next annual reexamination.

Requests for relief from surcharges for excess consumption of The Housing Authority of the City of Annapolis purchased utilities or from payment of utility supplier billings in excess of the utility allowance for tenant-paid utility costs may be granted by The Housing Authority of the City of Annapolis on reasonable grounds. Requests shall be granted to families that include an elderly member or a member with disabilities. Requests by the family shall be submitted under the Reasonable Accommodation Policy. Families shall be advised of their right to individual relief at admission to public housing and at time of utility allowance changes.

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### **13.7 EXCESSIVE UTILITY PAYMENTS**

Residents in units where the HACA pays the utilities will be charged for excess utilities if additional appliances or equipment are used in the unit. The charge shall be applied as specified in the lease.

Prior to any utility baseline imposed by the Housing Authority of the City of Annapolis, it will specifically take into account the overall condition of the dwelling unit and the ability of the resident to regulate the utility being consumed, in addition to being individually metered.

Consumption in excess of the established surcharges will be billed monthly to the tenant and is payable upon receipt of each billing cycle.

### **13.8 PAYING RENT AND SECURITY DEPOSIT**

Rent and other charges are due and payable on the first day of the month. All rents should be paid at Housing Authority Administrative Building located at 1217 Madison Street and Glenwood Apartments located at 701 Glenwood Street, Annapolis, MD. Reasonable accommodations for this requirement will be made for persons with disabilities. Partial payments are not accepted. As a safety measure, no cash shall be accepted as a rent payment

All rent not paid by the sixth (6<sup>th</sup>) day of each month will be assigned a late charge equal to five per cent of the current monthly rent as part of the rent for that month, not to exceed Ten (\$10.00) Dollars. Notwithstanding the foregoing, a late charge is not due and collectable until two weeks after the Authority gives written notice to the Tenant of such charges.

The security deposit is an amount equal to fifty (50.00) dollars or one month's Total Resident payment, whichever is greater, but not to exceed two hundred (\$200.00) dollars.

### **14.0 CONTINUED OCCUPANCY AND COMMUNITY SERVICE**

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#### **14.1 GENERAL**

In order to be eligible for continued occupancy, each adult family member must either (1) contribute eight hours per month of community service (not including political activities) within the community in which the public housing development is located, or in the larger metropolitan area (2) participate in an economic self-sufficiency program unless they are exempt from this requirement

#### **14.2 EXEMPTIONS**

The following adult family members of tenant families are exempt from this requirement.

- A. Family members who are 62 or older
- B. Family members who are blind or disabled
- C. Family members who are the primary care giver for someone who is blind or disabled
- D. Family members engaged in work activity
- E. Family members who are exempt from work activity under part A title IV of the Social Security Act or under any other State welfare program, including the welfare-to-work program
- F. Family members receiving assistance under a State program funded under part A title IV of the Social Security Act or under any other State welfare program, including welfare-to-work and who are in compliance with that program

#### **14.3 NOTIFICATION OF THE REQUIREMENT**

The Housing Authority of the City of Annapolis shall identify all adult family members who are apparently not exempt from the community service requirement.

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The Housing Authority of the City of Annapolis shall notify all such family members of the community service requirement and of the categories of individuals who are exempt from the requirement. The notification will provide the opportunity for family members to claim and explain an exempt status. The Housing Authority of the City of Annapolis shall verify such claims.

The notification will advise families that their community service obligation will begin upon the effective date of their first annual reexamination on or after 10/1/99. For family's paying a flat rent, the obligation begins on the date their annual reexamination would have been effective had an annual reexamination taken place. It will also advise them that failure to comply with the community service requirement will result in ineligibility for continued occupancy at the time of any subsequent annual reexamination.

#### **14.4 VOLUNTEER OPPORTUNITIES**

Community service includes performing work or duties in the public benefit that serve to improve the quality of life and/or enhance resident self-sufficiency, and/or increase the self-responsibility of the resident within the community.

An economic self sufficiency program is one that is designed to encourage, assist, train or facilitate the economic independence of participants and their families or to provide work for participants. These programs may include programs for job training, work placement, basic skills training, education, English proficiency, work fare, financial or household management, apprenticeship, and any program necessary to ready a participant to work (such as substance abuse or mental health treatment).

The Housing Authority of the City of Annapolis will coordinate with social service agencies, local schools, and the Human Resources Office in identifying a list of volunteer community service positions.

Together with the resident advisory councils, The Housing Authority of the City of Annapolis may create volunteer positions such as hall monitoring, litter patrols, and supervising and record keeping for volunteers.

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#### **14.5 THE PROCESS**

At the first annual reexamination on or after October 1, 1999, and each annual reexamination thereafter, The Housing Authority of the City of Annapolis will do the following:

- A. Provide a list of volunteer opportunities to the family members.
- B. Provide information about obtaining suitable volunteer positions.
- C. Provide a volunteer time sheet to the family member. Instructions for the time sheet require the individual to complete the form and have a supervisor date and sign for each period of work.
- D. Assign family members to a volunteer coordinator who will assist the family members in identifying appropriate volunteer positions and in meeting their responsibilities. The volunteer coordinator will track the family member's progress monthly and will meet with the family member as needed to best encourage compliance.
- E. Thirty (30) days before the family's next lease anniversary date, the volunteer coordinator will advise The Housing Authority of the City of Annapolis whether each applicable adult family member is in compliance with the community service requirement.

#### **14.6 NOTIFICATION OF NON-COMPLIANCE WITH COMMUNITY SERVICE REQUIREMENT**

The Housing Authority of the City of Annapolis will notify any family found to be in noncompliance of the following:

- A. The family member(s) has been determined to be in noncompliance;
- B. That the determination is subject to the grievance procedure; and

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- C. That, unless the family member(s) enter into an agreement to comply, the lease will not be renewed or will be terminated;

#### **14.7 OPPORTUNITY FOR CURE**

The Housing Authority of the City of Annapolis will offer the family member(s) the opportunity to enter into an agreement prior to the anniversary of the lease. The agreement shall state that the family member(s) agrees to enter into an economic self-sufficiency program or agrees to contribute to community service for as many hours as needed to comply with the requirement over the past 12-month period. The cure shall occur over the 12-month period beginning with the date of the agreement and the resident shall at the same time stay current with that year's community service requirement. The first hours a resident earns goes toward the current commitment until the current year's commitment is made.

The volunteer coordinator will assist the family member in identifying volunteer opportunities and will track compliance on a monthly basis.

If any applicable family member does not accept the terms of the agreement, does not fulfill their obligation to participate in an economic self-sufficiency program, or falls behind in their obligation under the agreement to perform community service by more than three (3) hours after three (3) months, The Housing Authority of the City of Annapolis shall take action to not renew the Lease at the expiration of the lease period.

#### **14.8 REMAINING MEMBER OF TENANT FAMILY – RETENTION OF UNIT**

To be considered the remaining member of the tenant family, the person must have been previously approved by the HACA to be living in the unit for at least one year and have been of legal age for the same period or at the discretion of HACA, a lesser period of time. In addition the household member will have to meet current HACA application standards for occupancy to include but not limited to credit check, and criminal background check. A live-in attendant, by definition, is not a member of the family and will not be considered a remaining member of the

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Family. A reduction in family size may require a transfer to an appropriate unit size per the Occupancy Standards.

## **15.0 RECERTIFICATIONS**

At least annually, The Housing Authority of the City of Annapolis will conduct a reexamination of family income and circumstances. The results of the reexamination determine (1) the rent the family will pay, and (2) whether the family is housed in the correct unit size.

### **15.1 GENERAL**

The Housing Authority of the City of Annapolis will send a notification letter to the family letting them know that it is time for their annual reexamination, giving them the option of selecting either the flat rent or formula method, and scheduling an appointment if they are currently paying a formula rent. If the family thinks they may want to switch from a flat rent to a formula rent, they should request an appointment. At the appointment, the family can make their final decision regarding which rent method they will choose. The letter also includes, for those families paying the formula method, forms for the family to complete in preparation for the interview. The letter includes instructions permitting the family to reschedule the interview if necessary. The letter tells families who may need to make alternate arrangements due to a disability that they may contact staff to request an accommodation of their needs.

During the appointment, The Housing Authority of the City of Annapolis will determine whether family composition may require a transfer to a different bedroom size unit, and if so, the family's name will placed on the transfer list.

### **15.2 MISSED APPOINTMENTS**

If the family fails to respond to the letter and fails to attend the interview, a second letter will be mailed. The second letter will advise of a new time and date for the interview, allowing for the same considerations for rescheduling and accommodation as above. The

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letter will also advise that failure by the family to attend the second scheduled interview will result in The Housing Authority of the City of Annapolis taking eviction actions against the family.

### 15.3 FLAT RENTS

The annual letter to flat rent payers regarding the reexamination process will state the following:

- A. Each year at the time of the annual reexamination, the family has the option of selecting a flat rent amount in lieu of completing the reexamination process and having their rent based on the formula amount.
- B. The amount of the flat rent
- C. A fact sheet about formula rents that explains the types of income counted, the most common types of income excluded, and the categories allowances that can be deducted from income.
- D. Families who opt for the flat rent will be required to go through the income reexamination process every three years, rather than the annual review they otherwise would undergo.
- E. Families who opt for the flat rent may request to have a reexamination and return to the formula-based method at any time for any of the following reasons:
  1. The family's income has decreased.
  2. The family's circumstances have changed increasing their expenses for child care, medical care, etc.
  3. Other circumstances creating a hardship on the family such that the formula method would be more financially feasible for the family.

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- F. The dates upon which The Housing Authority of the City of Annapolis expects to review the amount of the flat rent, the approximate rent increase the family could expect, and the approximate date upon which a future rent increase could become effective.
- G. The name and phone number of an individual to call to get additional information or counseling concerning flat rents.
- H. A certification for the family to sign accepting or declining the flat rent.

Each year prior to their anniversary date, The Housing Authority of the City of Annapolis will send a reexamination letter to the family offering the choice between a flat and a formula rent. The opportunity to select the flat rent is available only at this time. At the appointment, The Housing Authority of the City of Annapolis may assist the family in identifying the rent method that would be most advantageous for the family. If the family wishes to select the flat rent method without meeting with The Housing Authority of the City of Annapolis representative, they may make the selection on the form and return the form to The Housing Authority of the City of Annapolis. In such case, The Housing Authority of the City of Annapolis will cancel the appointment.

#### **15.4 THE FORMULA METHOD**

During the interview, the family will provide all information regarding income, assets, expenses, and other information necessary to determine the family's share of rent. The family will sign the HUD consent form and other consent forms that later will be mailed to the sources that will verify the family circumstances.

Upon receipt of verification, The Housing Authority of the City of Annapolis will determine the family's annual income and will calculate their rent as follows.

The total tenant payment is equal to the highest of'

- D. 10% of monthly income

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- E. 30% of adjusted monthly income
- F. The minimum rent as established by the HACA

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

#### **15.5 EFFECTIVE DATE OF RENT CHANGES FOR ANNUAL REEXAMINATIONS**

The new rent will generally be effective upon the anniversary date with thirty (30) days notice of any rent increase to the family.

If the rent determination is delayed due to a reason beyond the control of the family, then any rent increase will be effective the first of the month after the month in which the family receives a 30-day notice of the amount. If the new rent is a reduction and the delay is beyond the control of the family, the reduction will be effective as scheduled on the anniversary date.

If the family caused the delay, then any increase will be effective on the anniversary date. Any reduction will be effective the first of the month after the rent amount is determined.

#### **15.6 INTERIM REEXAMINATIONS**

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

Program participants must report the following changes to The Housing Authority of the City of Annapolis between regular reexaminations. If the family's rent is being determined under the formula method, these changes will trigger an interim reexamination. The family shall report these changes within thirty (30) days of their occurrence.

##### **Change in Family Composition**

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A member has been added to the family through birth, adoption, or court-awarded custody.

A household member is leaving or has left the family unit.

In order to add a household member other than through birth or adoption (including a live-in aide), the family must request that the new member be added to the lease. Before adding the new member to the lease, the individual must complete an application form stating their income, assets, and all other information required of an applicant. The individual must provide their Social Security number if they have one and must verify their citizenship/eligible immigrant status. (Their housing will not be delayed due to delays in verifying eligible immigrant status other than delays caused by the family.) The new family member will go through the screening process similar to the process for applicants. The Housing Authority of the City of Annapolis will determine the eligibility of the individual before adding them to the lease. If the individual is found to be ineligible or does not pass the screening criteria, they will be advised in writing and given the opportunity for an informal review. If they are found to be eligible and do pass the screening criteria, their name will be added to the lease. At the same time, if the family's rent is being determined under the formula method, the family's annual income will be recalculated taking into account the circumstances of the new family member. The effective date of the new rent will be in accordance with paragraph below 15.8.

#### **Increase in Income**

Families must report all increases in income/assets of all household members to the HACA in writing within 30 calendar days of the occurrence.

The HACA will conduct interim reexaminations when families report an increase in income of more than \$1000.00 during the **annual** lease term.

#### **Decrease In Income**

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Residents may report a decrease in income and other changes, such as an increase in allowances or deductions that would reduce the amount of the total tenant payment. The HACA must calculate the change if a decrease in income is reported.

Families are not required to, but may at any time, request an interim reexamination based on a decrease in income, an increase in allowable expenses, or other changes in family circumstances. Upon such request, The Housing Authority of the City of Annapolis will take timely action to process the interim reexamination and recalculate the tenant's rent.

The HACA will process rent adjustments whenever there is a decrease or increase in income.

#### **Flat Rent Participants**

Families paying flat rent are not required to report any increases in income or assets annually. However, the family electing flat rent is required to report increase in income and assets during the scheduled reexamination every three years.

### **15.7 SPECIAL REEXAMINATIONS**

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

### **15.8 EFFECTIVE DATE OF RENT CHANGES DUE TO INTERIM OR SPECIAL REEXAMINATIONS**

Unless there is a delay in reexamination processing caused by the family, any rent increase will be effective the first of the second month after the month in which the family receives notice of the new rent amount. If the family causes a delay, then the rent increases will be effective on the date it would have been effective had the process not been delayed (even if this means a retroactive increase).

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If the new rent is a reduction and any delay is beyond the control of the family, the reduction will be effective the first of the month after the interim reexamination should have been completed.

If the new rent is a reduction and the family caused the delay or did not report the change in a timely manner, the change will be effective the first of the month after the rent amount is determined.

## **16.0 UNIT TRANSFERS**

### **16.1 OBJECTIVES OF THE TRANSFER POLICY**

The objectives of the Transfer Policy include the following:

- A. To address emergency situations.
- B. To fully utilize available housing resources while avoiding overcrowding by insuring that each family occupies the appropriate size unit.
- C. To facilitate relocation when required for modernization or other management purposes.
- D. To facilitate relocation of families with inadequate housing accommodations.
- E. To provide an incentive for families to assist in meeting The Housing Authority of the City of Annapolis's de-concentration goal.
- F. To eliminate vacancy loss and other expense due to unnecessary transfers.

### **16.2 TRANSFER PRIORITIES**

- A. **Priority 01 – Emergency / Congregate Services:** to address an emergency situation that poses an immediate threat to the life, health, or safety of a Family or one of its members, such as fire in or defects in an occupied unit and to address

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hate crimes, domestic violence, the safety of witnesses to a crime, a law enforcement matter, or severely under-housed. Emergency / Congregate Transfers will take precedence over new admissions;

- B. **Priority 02 – Redevelopment/Modernization:** to facilitate relocation when required by redevelopment, modernization, or other management efforts. Redevelopment and Modernization Transfers will take precedence over new admissions;
- C. **Priority 03 – Medical Transfer:** to address a verifiable health condition of a Family member;
- D. **Priority 04 – Under-housed Transfer:** when the Property Manager with the concurrence of the Director of Affordable Housing determines that there is extreme overcrowding. Extreme overcrowding exists when the Family size exceeds the maximum number of persons and composition for the number of bedrooms in the unit;
- E. **Priority 05 – Over-housed Transfer:** when the Property Manager with the concurrence of the Director of Affordable Housing determines that the tenant is “over-housed” An Over-housed condition exists when the family/resident is in a unit that is too large based on the Family size.

### 16.3 DOCUMENTATION

When the transfer is at the request of the family, the family may be required to provide third party verification of the need for the transfer.

### 16.4 PROCESSING TRANSFERS

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

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Upon offer and acceptance of a unit, the family will execute all lease-up documents and pay any rent and/or security deposit within two (2) days of being informed the unit is ready to rent. The family will be allowed three (3) days to complete a transfer. The family will be responsible for paying rent at the old unit as well as the new unit for any period of time they have possession of both. The prorated rent and other charges (e.g., key deposit and any additional security deposit owing) must be paid at the time of lease execution.

The following is the policy for the rejection of an offer to transfer:

- A. If the family rejects with good cause any unit offered, they will not lose their place on the transfer waiting list.
- B. If the transfer is being made at the request of The Housing Authority of the City of Annapolis and the family rejects two offers without good cause, The Housing Authority of the City of Annapolis will take action to terminate their tenancy. If the reason for the transfer is that the current unit is too small to meet The Housing Authority of the City of Annapolis's optimum occupancy standards, the family may request in writing to stay in the unit without being transferred so long as their occupancy will not exceed two people per bedroom.
- C. If the transfer is being made at the family's request and the rejected offer provides de-concentration incentives, the family will maintain their place on the transfer list and will not otherwise be penalized.
- D. If the transfer is being made at the family's request, the family may, without good cause and without penalty, turn down one offer that does not include de-concentration incentives. After turning down a second such offer without good cause, the family's name will be removed from the transfer list.

#### **16.5 COST OF THE FAMILY'S MOVE**

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

- A. When the transfer is made at the request of the family or by others on behalf of

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the family (e.g., by the police);

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

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

- When the transfer is needed in order to carry out rehabilitation activities; or
- When action or inaction by The Housing Authority of the City of Annapolis 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.

## 16.6 TENANTS IN GOOD STANDING

When the transfer is at the request of the family, it will not be approved unless the family is in good standing with The Housing Authority of the City of Annapolis. This means the family must be in compliance with their lease, current in all payments to the Housing Authority, must pass a housekeeping inspection, and must pass a bed bug and pest inspection.

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## **16.7 TRANSFER REQUESTS**

A tenant may request a transfer at any time by completing a transfer request form. In considering the request, The Housing Authority of the City of Annapolis may request a meeting with the tenant to better understand the need for transfer and to explore possible alternatives. The Housing Authority of the City of Annapolis will review the request in a timely manner and if a meeting is desired, it shall contact the tenant within ten (10) business days of receipt of the request to schedule a meeting.

The Housing Authority of the City of Annapolis will grant or deny the transfer request in writing within ten (10) business days of receiving the request or holding the meeting, whichever is later.

If the transfer is approved, the family's name will be added to the transfer waiting list.

If the transfer is denied, the denial letter will advise the family of their right to utilize the grievance procedure.

## **16.8 RIGHT OF THE HOUSING AUTHORITY OF THE CITY OF ANNAPOLIS IN TRANSFER POLICY**

The provisions listed above are to be used as a guide to ensure fair and impartial means of assigning units for transfers. It is not intended that this policy will create a property right or any other type of right for a tenant to transfer or refuse to transfer.

## **17.0 INSPECTIONS**

An authorized representative of The Housing Authority of the City of Annapolis and an adult family member will inspect the premises prior to commencement of occupancy. A written statement of the condition of the premises and appliances will be made and the statement will be signed by both parties with a copy retained in The Housing Authority of the City of Annapolis file and a copy given to the family member. An authorized Housing Authority of the City of Annapolis representative will inspect the premises at the time the

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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 Housing Authority of the City of Annapolis damages to the unit.

#### **17.1 MOVE-IN INSPECTIONS**

The Housing Authority of the City of Annapolis 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 tenant file.

#### **17.2 90-DAY INSPECTIONS**

Ninety days after move-in, a housekeeping inspection will be performed.

#### **17.3 ANNUAL INSPECTIONS**

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

#### **17.4 PREVENTATIVE MAINTENANCE INSPECTIONS**

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

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### **17.5 SPECIAL INSPECTIONS**

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

### **17.6 HOUSEKEEPING INSPECTIONS**

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

### **17.7 NOTICE OF INSPECTION**

For inspections defined as 90-day housekeeping inspections, annual inspections, preventative maintenance inspections, special inspections, and housekeeping inspections The Housing Authority of the City of Annapolis will give the tenant at least forty-eight (48) hour written notice.

### **17.8 EMERGENCY INSPECTIONS**

If any employee and/or agent of The Housing Authority of the City of Annapolis 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.

### **17.9 MOVE-OUT INSPECTIONS**

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

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### **17.10 EGRESS INSPECTION AND REQUIREMENTS**

The Housing Authority of the City of Annapolis conducts an annual Egress inspection to ensure that any item(s) that blocks the only entrance or exit to a room or to the unit is removed. Air Conditioner unit must be portable. Window air conditioner units are prohibited. If an Egress violation is noted, the resident will have forty-eight (48) hours to cure the violation. Failure to cure the violation will result in a lease violation subject to lease termination.

### **18.0 REPAYMENT AGREEMENTS**

When a resident owes The Housing Authority of the City of Annapolis back charges and is unable to pay the balance by the due date, the resident may request that The Housing Authority of the City of Annapolis allow them to enter into a Repayment Agreement. The Housing Authority of the City of Annapolis has the sole discretion of whether to accept such an agreement. All Repayment Agreements must be in writing and signed by both parties. Failure to comply with the Repayment Agreement terms may subject the Resident to eviction procedures.

### **19.0 TERMINATION**

#### **19.1 TERMINATION BY TENANT**

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

#### **19.2 TERMINATION BY THE HOUSING AUTHORITY**

The Housing Authority of the City of Annapolis will not renew the lease of any family that is not in compliance with the community service requirement or an approved Agreement to Cure. If they do not voluntarily leave the property, eviction proceedings will begin.

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The Housing Authority of the City of Annapolis 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. Repeated late payment, which shall be defined as failure to pay the amount of rent or other charges due by the sixth (6<sup>th</sup>) of the month. Four such late payments within a 12 month period shall constitute a repeated late payment;
- 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, to include but not limited to defacement, tenant or guest caused fires, removal of any part of the premises, and failure to cause guests to refrain from such acts;
- J. Any criminal activity on the property or drug-related criminal activity on or off the premises. This includes but is not limited to the manufacture of methamphetamine on the premises of The Housing Authority of the City of Annapolis;
- K. Non-compliance with Non-Citizen Rule requirements;

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- L. Permitting persons not on the lease to reside in the unit more than fourteen (14) days in any 12 month period without the prior written approval of the Housing Authority;
- M. Residents are prohibited from permitting the use of their respective addresses by anyone other than approved household members;
- N. Residents are prohibited from having persons on the Banned HACA list within Respective units;
- O. Failure to comply with Egress safety and inspection requirements; and
- P. Other good cause.

The Housing Authority of the City of Annapolis 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.

## **20.0 RETURN OF SECURITY DEPOSIT**

After a family moves out, The Housing Authority of the City of Annapolis will return the security deposit within forty-five (45) days after Tenant moves out. The authority agrees to return the Security Deposit plus accrued interest (subject to applicable laws), if any, to Tenant when he/she vacates, less any deductions for any costs of repairing any intentional or negligent damages to the dwelling unit caused by Tenant, household members or guests or to pay the cost of any rent or any other charges owed by Tenant, so long as the Tenant furnishes the Authority with a forwarding address. If any deductions are made, the authority will furnish Tenant with a written statement of any such costs for damages and or other charges deduction from the security deposit. 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.

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## GLOSSARY

**50058 Form:** The HUD form that housing authorities are required to complete for each assisted household in public housing to record information used in the certification and re-certification process and, at the option of the housing authority, for interim reexaminations.

**1937 Housing Act:** The United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) (24 CFR 5.100)

**Adjusted Annual Income:** The amount of household income, after deductions for specified allowances, on which tenant rent is based. (24 CFR 5.611)

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

**Allowances:** Amounts deducted from the household's annual income in determining adjusted annual income (the income amount used in the rent calculation). Allowances are given for elderly families, dependents, medical expenses for elderly families, disability expenses, and child care expenses for children under 13 years of age. Other allowance can be given at the discretion of the housing authority.

**Annual Contributions Contract (ACC):** The written contract between HUD and a housing authority under which HUD agrees to provide funding for a program under the 1937 Act, and the housing authority agrees to comply with HUD requirements for the program. (24 CFR 5.403)

**Annual Income:** All amounts, monetary or not, that:

- A. Go to (or on behalf of) the family head or spouse (even if temporarily absent) or to any other family member; or
- B. Are anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date; and

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C. Are not specifically excluded from annual income.

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

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

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

**Assets:** The value of equity in savings, checking, IRA and Keogh accounts, real property, stocks, bonds, and other forms of capital investment. The value of necessary items of personal property such as furniture and automobiles are not counted as assets. (Also see "net family assets.")

**Asset Income:** Income received from assets held by family members. If assets total more than \$5,000, income from the assets is "imputed" and the greater of actual asset income and imputed asset income is counted in annual income. (See "imputed asset income" below.)

**Ceiling Rent:** Maximum rent allowed for some units in public housing projects.

**Certification:** The examination of a household's income, expenses, and family composition to determine the family's eligibility for program participation and to calculate the family's share of rent.

**Child:** For purposes of citizenship regulations, a member of the family other than the family head or spouse who is under 18 years of age. (24 CFR 5.504(b))

**Child Care Expenses:** Amounts anticipated to be paid by the family for the care of children under 13 years of age during the period for which annual income is computed,

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but only where such care is necessary to enable a family member to actively seek employment, be gainfully employed, or to further his or her education and only to the extent such amounts are not reimbursed. The amount deducted shall reflect reasonable charges for child care. In the case of child care necessary to permit employment, the amount deducted shall not exceed the amount of employment income that is included in annual income. (24 CFR 5.603(d))

**Citizen:** A citizen or national of the United States. (24 CFR 5.504(b))

**Consent Form:** Any consent form approved by HUD to be signed by assistance applicants and participants for the purpose of obtaining income information from employers and SWICAs, return information from the Social Security Administration, and return information for unearned income from the Internal Revenue Service. The consent forms may authorize the collection of other information from assistance applicants or participant to determine eligibility or level of benefits. (24 CFR 5.214)

**Decent, Safe, and Sanitary:** Housing is decent, safe, and sanitary if it satisfies the applicable housing quality standards.

**Department:** The Department of Housing and Urban Development. (24 CFR 5.100)

**Dependent:** A member of the family (except foster children and foster adults), other than the family head or spouse, who is under 18 years of age or is a person with a disability or is a full-time student. (24 CFR 5.603(d))

**Dependent Allowance:** An amount, equal to \$480 multiplied by the number of dependents, that is deducted from the household's annual income in determining adjusted annual income.

**Disability Assistance Expenses:** Reasonable expenses that are anticipated, during the period for which annual income is computed, for attendant care and auxiliary apparatus for a disabled family member and that are necessary to enable a family member (including the disabled member) to be employed, provided that the expenses are neither paid to a member of the family nor reimbursed by an outside source. (24 CFR 5.603(d))

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**Disability Assistance Expense Allowance:** In determining adjusted annual income, the amount of disability assistance expenses deducted from annual income for families with a disabled household member.

**Disabled Family:** A family whose head, spouse, or sole member is a person with disabilities; two or more persons with disabilities living together; or one or more persons with disabilities living with one or more live-in aides. (24 CFR 5.403(b)) (Also see "person with disabilities.")

**Disabled Person:** See "person with disabilities."

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

**Displaced Person:** A person displaced by governmental action or a person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to disaster relief laws. [1937 Act]

**Drug-Related Criminal Activity:** The illegal manufacture, sale, distribution, or use of a drug, or the possession of a drug with intent to manufacture, sell, distribute or use the drug. (24 CFR 5.100) Drug means a controlled substance as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802).

**Elderly Family:** A family whose head, spouse, or sole member is a person who is at least 62 years of age; two or more persons who are at least 62 years of age living together; or one or more persons who are at least 62 years of age living with one or more live-in aides. (24 CFR 5.403)

**Elderly Family Allowance:** For elderly families, an allowance of \$400 is deducted from the household's annual income in determining adjusted annual income.

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**Elderly Person:** A person who is at least 62 years of age. (1937 Housing Act)

**Extremely low-income families:** Those families whose incomes do not exceed 30% of the median income for the area, as determined by the Secretary with adjustments for smaller and larger families.

**Fair Housing Act:** Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988 (42 U.S.C. 3601 et seq.). (24 CFR 5.100)

**Family** includes but is not limited to:

- A. A family with or without children;
- B. An elderly family;
- C. A near-elderly family;
- D. A disabled family;
- E. A displaced family;
- F. The remaining member of a tenant family; and
- G. A single person who is not an elderly or displaced person, a person with disabilities, or the remaining member of a tenant family. (24 CFR 5.403)

**Family Members:** All members of the household other than live-in aides, foster children, and foster adults. All family members permanently reside in the unit, though they may be temporarily absent. All family members are listed on the lease.

**Family Self-Sufficiency Program (FSS Program):** The program established by a housing authority to promote self-sufficiency among participating families, including the coordination of supportive services. (24 CFR 984.103(b))

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**Flat Rent:** A rent amount the family may choose to pay in lieu of having their rent determined under the formula method. The flat rent is established by the housing authority set at the lesser of the market value for the unit or the cost to operate the unit. Families selecting the flat rent option have their income evaluated once every three years, rather than annually.

**Formula Method:** A means of calculating a family's rent based on 10% of their monthly income, 30% of their adjusted monthly income, the welfare rent, or the minimum rent. Under the formula method, rents may be capped by a ceiling rent. Under this method, the family's income is evaluated at least annually.

**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 attended. An educational institution includes a vocational school with a diploma or certificate program, as well as an institution offering a college degree. (24 CFR 5.603(d))

**Head of Household:** The adult member of the family who is the head of the household for purposes of determining income eligibility and rent. (24 CFR 5.504(b))

**Household Members:** All members of the household including members of the family, live-in aides, foster children, and foster adults. All household members are listed on the lease, and no one other than household members is listed on the lease.

**Housing Assistance Plan:** A housing plan that is submitted by a unit of general local government and approved by HUD as being acceptable under the standards of 24 CFR 570.

**Imputed Income:** For households with net family assets of more than \$5,000, the amount calculated by multiplying net family assets by a HUD-specified percentage. If imputed income is more than actual income from assets, the imputed amount is used as income from assets in determining annual income.

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

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

**Live-In Aide:** A person who resides with one or more elderly persons, near-elderly persons, or persons with disabilities and who:

- A. Is determined to be essential to the care and well- being of the persons;
- B. Is not obligated for the support of the persons; and
- C. Would not be living in the unit except to provide the necessary supportive services. (24 CFR 5.403(b))

**Low-Income Families:** Those families whose incomes do not exceed 80% of the median income for the area, as determined by the Secretary with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 80% of the median for the area on the basis of the Secretary's findings that such variations are necessary because of prevailing levels of construction costs or unusually high or low family incomes. (1937Act)

**Medical Expenses:** Medical expenses (of all family members of an elderly or disabled family), including medical insurance premiums, that are anticipated during the period for which annual income is computed and that are not covered by insurance. (24 CFR 5.603(d)). These expenses include, but are not limited to, prescription and non-prescription drugs, costs for doctors, dentists, therapists, medical facilities, care for a service animals, and transportation for medical purposes.

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**Mixed Family:** A family whose members include those with citizenship or eligible immigration status and those without citizenship or eligible immigration status. (24 CFR 5.504(b))

**Monthly Adjusted Income:** One twelfth of adjusted income. (24 CFR 5.603(d))

**Monthly Income:** One twelfth of annual income. (24 CFR 5.603(d))

**National:** A person who owes permanent allegiance to the United States, for example, as a result of birth in a United States territory or possession. (24 CFR 5.504(b))

**Near-Elderly Family:** A family whose head, spouse, or sole member is a person who is at least 50 years of age but below the age of 62; two or more persons, who are at least 50 years of age but below the age of 62, living together; or one or more persons who are at least 50 years of age but below the age of 62 living with one or more live-in aides. (24 CFR 5.403(b))

**Net Family Assets:**

- A. Net cash value after deducting reasonable costs that would be incurred in disposing of real property, savings, stocks, bonds, and other forms of capital investment, excluding interests in Indian trust land and excluding equity accounts in HUD homeownership programs. The value of necessary items of personal property such as furniture and automobiles shall be excluded.
- B. In cases where a trust fund has been established and the trust is not revocable by, or under the control of, any member of the family or household, the value of the trust fund will not be considered an asset so long as the fund continues to be held in trust. Any income distributed from the trust fund shall be counted when determining annual income.
- C. In determining net family assets, housing authorities or owners, as applicable, shall include the value of any business or family assets disposed of by an applicant or tenant for less than fair market value (including a disposition in trust,

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but not in a foreclosure or bankruptcy sale) during the two years preceding the date of application for the program or reexamination, as applicable, in excess of the consideration received therefore. In the case of a disposition as part of a separation or divorce settlement, the disposition will not be considered to be for less than fair market value if the applicant or tenant receives important consideration not measurable in dollar terms. (24 CFR 5.603(d))

**Non-Citizen:** A person who is neither a citizen nor national of the United States. (24 CFR 5.504(b))

**Occupancy Standards:** The standards that a housing authority establishes for determining the appropriate number of bedrooms needed to house families of different sizes or composition.

**Person with Disabilities:** A person who:

A. Has a disability as defined in Section 223 of the Social Security Act, which states:

"Inability to engage in any substantial, gainful activity by reason of any medically determinable physical or mental impairment that can be expected to result in death or that has lasted or can be expected to last for a continuous period of not less than 12 months, or

In the case of an individual who attained the age of 55 and is blind and unable by reason of such blindness to engage in substantial, gainful activity requiring skills or ability comparable to those of any gainful activity in which he has previously engaged with some regularity and over a substantial period of time."

B. Is determined, pursuant to regulations issued by the Secretary, to have a physical, mental, or emotional impairment that:

1. Is expected to be of long-continued and indefinite duration;
2. Substantially impedes his or her ability to live independently; and

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3. Is of such a nature that such ability could be improved by more suitable housing conditions, or
- C. Has a developmental disability as defined in Section 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act, which states:

"Severe chronic disability that:

1. Is attributable to a mental or physical impairment or combination of mental and physical impairments;
2. Is manifested before the person attains age 22;
3. Is likely to continue indefinitely;
4. Results in substantial functional limitation in three or more of the following areas of major life activity: (1) self care, (2) receptive and responsive language, (3) learning, (4) mobility, (e) self-direction, (6) capacity for independent living, and (7) economic self-sufficiency; and
5. Reflects the person's need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services that are of lifelong or extended duration and are individually planned and coordinated."

This definition does not exclude persons who have the disease of acquired immunodeficiency syndrome or any conditions arising from the etiologic agent for acquired immunodeficiency syndrome. (1937 Act)

No individual shall be considered to be a person with disabilities for purposes of eligibility solely based on any drug or alcohol dependence.

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**Proration of Assistance:** The reduction in a family's housing assistance payment to reflect the proportion of family members in a mixed family who are eligible for assistance. (24 CFR 5.520)

**Public Housing Agency (PHA):** Any State, county, municipality, or other governmental entity or public body (or agency or instrumentality thereof) which is authorized to engage in or assist in the development or operation of low-income housing under the 1937 Housing Act. (24 CFR 5.100)

**Recertification:** The annual reexamination of a family's income, expenses, and composition to determine the family's rent.

**Remaining Member of a Tenant Family:** A member of the family listed on the lease who continues to live in the public housing dwelling after all other family members have left. To be considered the remaining member of the tenant family, the person must have been previously approved by the HACA to be living in the unit for at least one year.

**Self-Declaration:** A type of verification statement by the tenant as to the amount and source of income, expenses, or family composition. Self-declaration is acceptable verification only when third-party verification or documentation cannot be obtained.

**Shelter Allowance:** That portion of a welfare benefit (e.g., TANF) that the welfare agency designates to be used for rent and utilities.

**Single Person:** Someone living alone or intending to live alone who does not qualify as an elderly family, a person with disabilities, a displaced person, or the remaining member of a tenant family. (Public Housing: Handbook 7465.1 REV-2, 3-5)

**State Wage Information Collection Agency (SWICA):** The State agency receiving quarterly wage reports from employers in the State or an alternative system that has been determined by the Secretary of Labor to be as effective and timely in providing employment-related income and eligibility information. (24 CFR 5.214)

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**Temporary Assistance to Needy Families (TANF):** The program that replaced the Assistance to Families with Dependent Children (AFDC) that provides financial assistance to needy families who meet program eligibility criteria. Benefits are limited to a specified time period.

**Tenant:** The person or family renting or occupying an assisted dwelling unit. (24 CFR 5.504(b))

**Tenant Rent:** The amount payable monthly by the family as rent to the housing authority. Where all utilities (except telephone) and other essential housing services are supplied by the housing authority or owner, tenant rent equals total tenant payment. Where some or all utilities (except telephone) and other essential housing services are supplied by the housing authority and the cost thereof is not included in the amount paid as rent, tenant rent equals total tenant payment less the utility allowance. (24 CFR 5.603(d))

**Third-Party (verification):** Written or oral confirmation of a family's income, expenses, or household composition provided by a source outside the household.

**Total Tenant Payment (TTP):**

A. Total tenant payment for families whose initial lease is effective on or after August 1, 1982:

1. Total tenant payment is the amount calculated under Section 3(a) (1) of the 1937 Act which is the higher of:
  - a. 30% of the family's monthly adjusted income;
  - b. 10% of the family's monthly income; or
  - c. If the family is receiving payments for welfare assistance from a public agency and a part of such payments, adjusted in accordance with the family's actual housing costs, is specifically designated by

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such agency to meet the family's housing costs, the portion of such payments which is so designated.

If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under section 3(a) (1) shall be the amount resulting from one application of the percentage.

2. Total tenant payment for families residing in public housing does not include charges for excess utility consumption or other miscellaneous charges.
- B. Total tenant payment for families residing in public housing whose initial lease was effective before August 1, 1982: Paragraphs (b) and (c) of 24 CFR 913.107, as it existed immediately before November 18, 1996), will continue to govern the total tenant payment of families, under a public housing program, whose initial lease was effective before August 1, 1982.

**Utility Allowance:** If the cost of utilities (except telephone) and other housing services for an assisted unit is not included in the tenant rent but is the responsibility of the family occupying the unit, an amount equal to the estimate made by a housing authority of the monthly cost of a reasonable consumption of such utilities and other services for the unit by an energy-conservative household of modest circumstances consistent with the requirements of a safe, sanitary, and healthful living environment. (24 CFR 5.603)

**Utility Reimbursement:** The amount, if any, by which the utility allowance for the unit, if applicable, exceeds the total, tenant payment for the family occupying the unit. (24 CFR 5.603)

**Very Low-Income Families:** Low-income families whose incomes do not exceed 50% of the median family income for the area, as determined by the Secretary with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 50% of the median for the areas on the basis of the Secretary's findings that such variations are necessary because of unusually high or low family incomes. Such ceilings shall be established in consultation with the Secretary of

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Agriculture for any rural area, as defined in Section 520 of the Housing Act of 1949, taking into account the subsidy characteristics and types of programs to which such ceilings apply. (1937 Act)

#### **Violence Against Woman Act:**

- **Domestic Violence**

Felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

- **Dating Violence**

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

- **Stalking**

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

- **Immediate Family**

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Immediate family member is defined to mean, with respect to a person (A) a spouse, parent, brother or sister, or child of that person, or an individual to whom that person stands in the care of a child or any other person living in the household of that person and is related to that person by blood or marriage.

**Welfare Assistance:** Welfare or other payments to families or individuals, based on need, that are made under programs funded by Federal, State or local governments. (24 CFR 5.603(d))

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

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### ACRONYMS

ACC	Annual Contributions Contract
CFR	Code of Regulations
FSS	Family Self Sufficiency (program)
HCDA	Housing and Community Development Act
HQS	Housing Quality Standards
HUD	Department of Housing and Urban Development
INS	(U.S.) Immigration and Naturalization Service
NAHA	(Cranston-Gonzalez) National Affordable Housing Act
NOFA	Notice of Funding Availability
OMB	(U.S.) Office of Management and Budget
PHA	Public Housing Agency
QHWR	Quality Housing and Work Responsibility Act of 1998
SSA	Social Security Administration
TTP	Total Tenant Payment

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**CERTIFICATION OF DOMESTIC VIOLENCE,  
DATING VIOLENCE OR STALKING**

U. S. Department of Housing and  
Urban Development  
Office of Housing  
OMB Approval No. 2502-0204

**Public reporting burden** for this collection of information is estimated to average 1 hour per response. This includes the time for collecting, reviewing, and reporting the data. Information provided is to be used by owners and management agents administering Section 8 project-based assistance under the United States Housing Act of 1937 (42 U.S.C. 1437) to request a tenant to certify that the individual is a victim of domestic violence, dating violence, or stalking. The information is subject to the confidentiality requirements of the HUD Reform Legislation. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number.

**Purpose of Form:** The Violence Against Women and Justice Department Reauthorization Act of 2005 protects qualified tenants and family members of tenants who are victims of domestic violence, dating violence, or stalking (collectively “domestic violence”) from being evicted or terminated from housing assistance based on acts of such violence against them.

**Use of Form:** If you have been a victim of domestic violence, you or a family member on your behalf must complete and submit this certification form, or submit the information described below under “Alternate Documentation,” which may be provided in lieu of the certification form, within 14 business days of receiving the written request for this certification form by the owner or management agent. The certification form or alternate documentation must be returned to the person and the address specified in the written request for the certification form. If the requested certification form or the information that may be provided in lieu of the certification form is not received by the 14th business day or any extension of the date provided by the owner or management agent, none of the protections afforded to victims of domestic violence under the Section 8 project-based assistance program will apply. Distribution or issuance of this form does not serve as a written request for certification.

**Alternate Documentation:** In lieu of this certification form (or in addition to it), the following documentation may be provided:

(1) A federal, state, tribal, territorial, or local police or court record; or

(2) Documentation signed by an employee, agent or volunteer of a victim service provider, an attorney or medical professional, from whom the victim has sought assistance in addressing the domestic violence, dating violence or stalking, or the effects of abuse, in which the professional attests under penalty of perjury (28 U.S.C. 1746) to the professional’s belief that the incident(s) in question are bona fide incidents of abuse, and the victim has signed or attested to the documentation.

**TO BE COMPLETED BY OR ON BEHALF OF THE VICTIM OF DOMESTIC VIOLENCE:**

**1. Date written request is received from owner or management agent:** \_\_\_\_\_

**2. Name of victim:**  
\_\_\_\_\_

**3. Your name (if different):**  
\_\_\_\_\_

**4. Name(s) of other family members listed on the lease:**  
\_\_\_\_\_

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**5. Name of the abuser:**

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**6. Relationship of the abuser to the victim:**

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**7. Date of incident:**

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**8. Time of incident:**

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**9. Location of incident:**

{Page two must be completed and attached to this form.}



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This is to certify that the information provided is true and correct, and that the individual named above in Item 2 is a victim of domestic violence, dating violence, or stalking. The incident(s) in question is a bona fide incident(s) of such actual or threatened abuse. I acknowledge that submission of false information could jeopardize program eligibility and could be the basis for termination of Section 8 project-based assistance or eviction from assisted property.

Signature \_\_\_\_\_ Executed on (Date) \_\_\_\_\_

Pursuant to 42 U.S.C. 1437f(ee)(2)(A), all information provided to an owner or management agent related to the incident(s) of domestic violence, dating violence or stalking, including the fact that an individual is a victim of domestic violence, dating violence or stalking shall be retained in confidence by the owner or management agent and shall neither be entered into any shared database nor provided to any related entity, except to the extent that such disclosure is:

- (1) Requested or consented to by the victim in writing;
- (2) Required for use in an eviction proceeding or termination of assistance; or
- (3) Otherwise required by applicable law

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The U.S. Department of Housing and Urban Development (HUD) under the Public Housing Assessment System (PHAS) measures the performance of public housing agencies on an annual basis. One component of the PHAS is the Management Assessment Sub-System (MASS) which measures the public housing agency's performance in the areas of vacant unit turnaround, Capital Fund, work orders, annual inspection of units and systems, security and economic self sufficiency. Sub-Indicator 5: Security requires a Board adopted policy governing:

The Housing Authority will engage and perform the following:

- Tracking and reporting monthly crime statistics
- Tracking and reporting crime-related issues and problems
- Engage a cooperative partnership for tracking and reporting crime information and data to and receiving statistical information from the Local Police Authorities
- Screening and denying of admission to applicants with a history of crime-related activities, including drug-related activity, crimes of violence, disruptive alcohol abuse behavior, persons listed on the state sex offender's registration list and persons listed on HACA's Banned List.
- Tracking the number of resident evictions for drugs, criminal-related activity to include crimes of violence and disruptive alcohol abuse, which are determined to be on the state sex offender's registration list.