



Housing Choice Voucher Administrative Plan



**Written in accordance with 24 CFR Part 982
City of Bowling Green-Housing Division**

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City of Bowling Green Housing Division KY171

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A. STATEMENT OF POLICIES AND OBJECTIVES

The Housing Choice Voucher Program (Section 8 Program) was created by the Housing and Community Development Act of 1974 and was amended by the Housing and Community Development Act of 1981, the Housing and Urban-Renewal Recovery Act of 1983, the Technical Amendments Act of 1984, and the Housing and Community Development Act of 1987.

Administration of the Housing Programs and the function and responsibilities of the agency staff shall be in compliance with the Personnel Policy of the City of Bowling Green, the Equal Opportunity Plan, and the Housing Choice Voucher Program Administrative Plan. All Federal, State, and Local Housing Laws will be followed and the PHA will comply with Fair Housing Regulations, including the Fair Housing Act, Section 504 of the Rehabilitation Act of 1973, and Title II of the American with Disabilities Act.

Conduct of agency staff is governed by the Administrative Personnel Policy and Procedures Manual of the City of Bowling Green; conflict of interest issues are addressed in Chapter VI, Section 6-3. Additionally, all agency staff signs an *EIV Rules of Behavior and User Agreement* and *Computer Ethics Policy Compliance Statement*.

Rules and Regulations

All issues not addressed in this document related to tenants and participants are governed by Housing Choice Voucher Program Guidebook , federal regulations, HUD Memos and Notices, and guidelines or other applicable law.

References

1. PHA: City of Bowling Green Housing Division
2. HCV: Housing Choice Voucher Program, the rental assistance program.
3. HUD: U. S. Department of Housing and Urban Development, the funding agency.
4. WL: Housing Choice Voucher Waiting List.
5. ED: Executive Director-Director of Neighborhood and Community Services
6. HC: Housing Division Coordinator.
7. Inspector: Code Enforcement/Building Inspector
8. Recertification Specialist: Housing Recertification Specialist
9. OA: Office Associate.

Program Mission

The mission of the HCV Program is to promote adequate and affordable housing, economic opportunity and a suitable living environment free from discrimination. The primary goal of the PHA is to extend rental assistance to eligible families of very low income for tenancy in existing housing that is decent, safe, and sanitary. The key element of the HCV Program is that the subsidy is tied to the family rather than to a

particular unit.

The PHA assumes four main responsibilities as administrator for HUD:

1. Certification and recertification of tenants;
2. Approval of units and leases;
3. Payment of housing assistance to the owner; and
4. Monitoring program performance and compliance with federal and local rules.

Fair Housing Policy

It is the policy of this PHA to comply fully with all Federal, State, and local non-discrimination laws in accordance with the rules and regulations governing Fair Housing and Equal Opportunity in housing and employment. The PHA shall not on account of race, color, sex, religion, creed, national or ethnic origin, age, family or marital status, handicap or disability deny any family or individual the opportunity to apply for or receive assistance. The PHA is committed to full compliance with applicable Civil Rights laws. The PHA will provide Federal/State/Local information to Voucher holders regarding discrimination and any recourse available to them should they feel they have been the victim of discrimination. Such information will be made available to them during the family briefing session and all applicable Fair Housing Information and Discrimination Complaint Forms will be made a part of the Voucher holder's packet. PHA staff will be available to aid persons who claim illegal discrimination and will make referral to Kentucky Legal Aid or Bowling Green Human Rights Commission for further assistance as needed.

The PHA will affirmatively promote Fair Housing by actively working to address the Impediments to Fair Housing identified in the Consolidated Plan as listed below:

1. Lack of landlord education about discrimination and Fair Housing laws.
2. Language and Cultural differences.
3. Lack of accessible units.
4. Lack of transition services for persons leaving prison.
5. Cumbersome and lengthy legal system for evictions.

Limited English Proficiency Policy (LEP)

All persons seeking assistance through the HCV Program and associated services shall be afforded all rights pursuant to Title VI of the Civil Rights Act of 1964, HUD's LEP regulations, and City of Bowling Green Language Access Plan. The PHA will utilize the following resources when providing services to LEP individuals/families:

1. Bilingual agency staff; or
2. Interpreters; or
3. In Every Language - telephone interpreting service.

B. PHA HISTORY

The PHA began its Section 8 Housing program in 1981 with the Section 8 Certificate program. The PHA later added the Voucher Program, in 1991 added a Homeless Voucher Program, and in 1998 added the NED Voucher Program targeting the disabled. On October 1, 1999 the Certificate and Voucher Programs were merged into the Housing Choice Voucher Program (HCV). In 2011 the PHA changed its name to City of Bowling Green Housing Division.

Organization Structure

The organizational members of the PHA are the Executive Director (NCS Director), Housing Division Coordinator, Recertification Specialist, Inspector, and Office Associate.

1. NCS Director serves as Executive Director of the PHA
Supervise all activities of the Neighborhood and Community Department. Director will approve/review all HCV budgets, Voucher Management System quarterly reports and Financial Assessment System for Public Housing (FASS-PH) year-end submission of unaudited and audited data. Additionally, the Director will be responsible for the drafting and approval of reports, plans, and policies. The Director will handle relocation assistance on behalf of the City of Bowling Green.
2. Housing Division Coordinator
The purpose of this position is to assist the Director in the management and direction of the Housing Division of the City. Responsibilities include planning, policy development, budget oversight, and staff supervision for all housing related programs of the City including the Housing Choice Voucher Program including preparing monthly and interim landlord and utility checks, maintaining payments register.
3. Recertification Specialist
The purpose of this position is to administer the Housing Choice Voucher Program to elderly, disabled, handicapped and low-income families. Duties include annual recertification and fraud control.
4. Housing Division Assistant
The purpose of this position is to act as Housing Division Assistant for the Housing Division. Duties include receiving and directing visitors and phone calls, maintaining and updating various records, receiving and posting various payments, receiving and filing various documents, verification of newly reported income changes and performing various clerical functions.
5. Inspector
The inspections function is performed by staff of the Code Enforcement & Building Inspection Division.

Legal Jurisdiction

The legal jurisdiction for the HCV Program is the corporate city limits of Bowling Green, Kentucky including all annexed areas.

C. OUTREACH

Family Outreach

It shall be the policy of the PHA to aggressively promote the HCV Program through public service announcements, brochures, local radio, advertising in local newspapers, and community organizations. If initial outreach efforts do not produce the necessary application group, adjustments for additional recruitment will be made. In order to target the “least likely to apply” applicants, the PHA will release information through neighborhood groups, churches, commercial establishments, and social service agencies if there is a need for outreach demonstrated by the applicant pool.

Owner Outreach

The HC manages outreach to owners and managers to assure diverse participation in the program and comprehension of regulations. Participation by landlords who own property outside of poverty concentration areas (census tracts 101, 102, and 103) is encouraged and promoted in the following ways:

- The PHA will make landlord brochures available to potential landlords to provide information about the program.
- The PHA will maintain an inventory of available units to provide an advertising mechanism for landlords.
- The PHA will maintain a list of landlords who participate, or have expressed an interest in participating, in the HCV program and includes list in briefing.
- The PHA will provide maps, employer information, community resources and other information during briefing.
- The PHA periodically advertises in the local newspaper, encouraging participation by landlords outside the identified areas.
- The PHA identifies rental property located outside the identified areas and targets these owners/managers in recruitment efforts.

Owner Debarment

If the PHA has knowledge, the PHA will not enter into a Payments Contract with any owner who:

- (1) has been debarred, suspended or is subject to a limited denial of participation,
- (2) has committed fraud, bribery or any other corrupt or criminal act in connection with any federal housing program,
- (3) has engaged in drug related or violent criminal activity,
- (4) fails to evict tenants who engage in drug related or violent criminal activity,
- (5) has a history of non compliance with HQS/IPMC standards,
- (6) has outstanding state or local real estate taxes, fines or assessments.

The PHA will consider debarment of an owner in the following, but not limited to

circumstances:

- a. Repeated or flagrant failure to correct HQS violations.
- b. Repeated or flagrant misrepresentation of facts pertinent to the approval of a Request for Tenancy.
- c. Repeated or flagrant failure to notify PHA of tenant move-out in a timely manner.
- d. Repeated or flagrant breach of HAP contract.
- e. Failure to provide comparable records when requested.
- f. Collection of excess tenant rent above what is approved by the PHA.
- g. Failure to repay a HAP overpayment

Tenant Information Shared

Upon request, certain family information will be disseminated to potential landlords to aid them in their tenant screening process. Tenant information which will be shared includes: current and past addresses and/or landlords known to PHA; unpaid rent and/or damage claim history; prior court evictions and/or prior terminations from the program.

Tenant Screening

The PHA does not screen for suitability as a tenant. The PHA does screen for program eligibility regarding the following:

1. past or pending violent criminal arrests
2. past or pending drug or alcohol arrests
3. ineligibility due to past terminations
4. debt owed to this or other PHA
5. income eligibility
6. registration as a sex offender

D. ELIGIBILITY

To be eligible for admission, a family must meet HUD's criteria for eligibility determination, as well as any additional criteria established by the PHA. The PHA imposes no residency requirements.

Income Limits

Annual Income shall not exceed the Very Low Income Limit as established by HUD and published in the Federal Register. Not less than 75% of new admissions during any fiscal year must have incomes at or below 30% of area median. Applicants on the Waiting List may be skipped when necessary to ensure compliance with the 75% standard. At any time that the PHA finds it necessary in order to meet the 75% standard, some or all of the admissions preferences may be suspended until such time that the 75% standard has been met. Other admissions must be at or below 50% of area median (VLI), or up to 80% of area median (LI) for families meeting the following criteria:

1. A low-income family continuously assisted.
2. A low-income family involuntarily displaced by government action.
3. A low-income family for admission into the HCV HO Program.

Once a family meets the Income Limit and is admitted to the program, they are considered "continuously assisted" and are no longer subject to the Very Low Income Limit. Portable families who are already leased in the initial jurisdiction are also considered "continuously assisted" and are not subject to any income test in the receiving jurisdiction. If the family has not leased in the initial jurisdiction, they are subject to the admission income limits of the receiving jurisdiction.

Mandatory Social Security Numbers and Birth Certificates

Families must provide birth certificates for all household members. An application for a birth certificate may be used by the PHA for initial processing, pending receipt of the birth certificate within 30 days of closing.

Families are required to provide documentation of Social Security Cards for all subsidized household members prior to admission. For families admitted prior to March 30, 2009, required documentation must be provided at the next interim or regularly scheduled income reexamination.

Requests to add a subsidized household member must be accompanied by documentation of the Social Security number and the Birth Certificate of the new member. If a SSN has not been assigned to a newborn, an Alt ID will be issued and utilized until the SSN can be documented. Any income associated with the newborn or any other new member, will be added in accordance with the PHA's reporting and processing policies.

Providing any of the following documents will be considered verification of a valid Social Security Number:

1. A valid Social Security card issued by the Social Security Administration.
2. IRS Forms 1099.
3. Computer print out from Social Security Administration verifying the number issued to the individual.

Residency Requirements

There are no residency requirements for admission to the HCV Housing Assistance Program. Portability requires an established residence within the issuing jurisdiction:

- (1) New applicant must be a legal resident at the time the application for assistance was submitted (utility bills, school records a voter registration or similar records are acceptable forms of documentation)
- (2) A non-resident family will be required to lease a unit within jurisdiction for at least 12 months prior to exercising portability.

Other Admission Criteria

Other criteria must be met for an applicant to be eligible for assistance under the PHA's HCV Program:

1. The head of household must be at least 18 years of age. The PHA does not recognize emancipation of minors.
2. The family must have paid any outstanding debt owed to the PHA or another PHA on any previous tenancy for Public Housing, HCV or other subsidized housing programs or 10 years had elapsed from termination of previous tenancy. Applicants found to have outstanding debts to this or other PHAs will not be admitted until debt is paid in full or 10 years had passed since termination of previous tenancy. A family which owes money to a privately owned housing corporation is not considered to be indebted to a PHA unless and until a bona fide claim has been paid to the private owner by a HUD funded PHA. At the time that a claim is paid to the private owner by a PHA, the family becomes indebted to the PHA and must pay the debt in full prior to admission into the HCV program. If the PHA to whom the money is owed is in agreement, a Repayment Agreement may be executed and the payment-in-full rule waived. If the family owes a private owner at the time a voucher is issued and a claim is paid by a PHA prior to lease-up, the family must pay the debt in full or the family may, with permission of the PHAs, enter into a Repayment Agreement with the PHA and agree to repay the debt to the PHA.
3. During the three (3) years prior to admission the family was not terminated from the HCV program due to actions which include:

- a. Eviction by court action or moved out to avoid eviction;
 - b. Evicted/terminated from public housing, Indian Housing, HCV or Section 23 program due to drug-related criminal activity;
 - c. Release from incarceration or conviction of drug-related or violent crime (if charged but not yet convicted, admission is delayed pending case disposition);
 - d. Program fraud;
 - f. Unauthorized person in household;
 - g. Failure to maintain subsidized unit to HQS standards, other than failure to pay utilities;
 - h. Abusive or threatening behavior toward PHA staff;
4. Admission may not be delayed for prior termination which was a result of the following:
 - a. Failure to recertify;
 - b. Failure to provide requested documentation;
 - c. Failure to keep a scheduled appointment;
 - d. Expired moving voucher;
 - e. Tenant request, if otherwise in good standing
 - f. Failure to maintain tenant-paid utilities.
5. Any family member who have engaged in any violent criminal or drug related activity may be found ineligible for assistance for a period of three (3) years from the most recent date of conviction or release from incarceration. Drug Related/Violent criminal activity is further defined below under "Explanation of Drug Related/Violent Criminal Behavior".
6. If there has been an arrest but no disposition or final court decision in any case of drug-related or violent criminal activity, admission may be delayed until the conviction or end of diversion period. However, if credible or a "preponderance of the evidence" is found to exist, that a family member has engaged in drug-related or violent criminal activity, the PHA may deny assistance based on those facts.
7. No family member may have committed fraud in any federal, state, or local housing program.
8. No family member may have committed welfare fraud of any kind in any local, state or federal program.
9. Assistance will not be provided to any family member who is an alien, unless that alien is a resident of the U. S. and meets one of six categories of lawfully admitted aliens. All household members will be required to submit Section 214 Forms upon application and documentation of SSN prior to admission.

10. Applicants reaching the top of the waiting list who are determined to be ineligible for admission for any reason will not remain on the waiting list, but may reapply when the waiting list is open.

Explanation of Drug Related/Violent Criminal Activity

1. Drug Related Criminal Activity means:
 - a. The manufacture, sale or distribution, the possession with intent to manufacture, sell or distribute, or use or possession of a controlled substance (as defined in the Controlled Substance Act);
 - b. For use or possession (other than with intent to manufacture, sell or distribute), if the family member demonstrates that
 - 1) He/she has an addiction to a controlled substance; and,
 - 2) Is recovering or has recovered from such addiction; and,
 - 3) Does not currently use or possess a controlled substance; and,
 - 4) Has successfully completed a supervised treatment program; and,
 - 5) At least 12 months have lapsed since completion of the program;then

Then the family shall not be denied admission to the program based solely on the criminal charges of possession or use.
2. Violent Criminal Activity means:
 - a. Any criminal activity that has one of its elements the use, or threatened use, of physical force against the person or property of another. HC or ED shall review the police report and a determination made regarding the element(s) of violence.
 - b. Denial of admission or termination shall result if any of the following elements are present in the crime as reported in the police report narrative:
 - 1) Presence of a weapon.
 - 2) Physical contact via kicking, hitting, biting, etc.
 - 3) Shoving, in the absence of other physical contact, shall not be considered grounds for denial or termination.
 - 4) Verbal assault, in the absence of any physical contact, shall not be considered grounds for denial or termination of assistance.
 - 5) Actions, which are deemed to be in self-defense where the other party instigated the incident, shall not be considered grounds for denial or termination of assistance.
 - 6) Any activity which results in substantial property damage (\$1,000+)

Verification Procedure for Drug/Violent Criminal Activity or Alcohol Abuse

1. Drug Related/Violent Criminal Activity

Verification that an applicant has not been involved in any drug-related or violent criminal activity will be accomplished by searching nationwide criminal records, local police records, or any other publicly available source for any family member age 18 or older. Monitoring arrest records daily and requesting copies of police reports and/or court documents will accomplish verification of drug-related or violent criminal activity on the part of an active tenant.

2. Alcohol Abuse

Verification that an applicant is not a chronic alcohol abuser will be accomplished by searching nationwide criminal records, local police records, or any other publicly available source for any family member age 18 or older. Records of three (3) or more alcohol related incidents during the 6-month period within previous 3 years will be evidence of chronic alcohol abuse and grounds for denial of admission. Records of three (3) or more alcohol related incidents on the part of an active tenant, during the 6-month period within previous 3 years will be evidence of chronic alcohol abuse and grounds for termination.

Victims of Domestic Violence (VAWA)

Victims of domestic violence will be protected from denial or termination of assistance per the Violence Against Women Reauthorization Act of 2005. An otherwise qualified applicant may not be denied admission on the basis that the applicant is or has been the victim of domestic violence, dating violence, or stalking. A household member may not be terminated on the basis that he/she is or has been the victim of actual or threatened domestic violence, dating violence, or stalking.

When the actions of a tenant, household member, or guest, other person under the control of the tenant call for the denial or termination of assistance and the tenant/applicant claims that he/she is the victim of domestic violence, dating violence, or stalking, the PHA must ensure that the family is provided the protections afforded under VAWA.

Verification of Victimization

The PHA may request that an individual certify that he/she is a victim as described above and that the incident in question is a bona fide incident of actual or threatened abuse. The certification must include the name of the perpetrator and must be provided to the PHA within 14 business days of the Notice of Termination or other notice by the PHA. Certification will be provided via a

completed *Certification of Domestic Violence, Dating Violence, or Stalking* form and accompanying police report.

If the perpetrator of the incident is a household member and has not been removed from the household by the courts, the victim may request that the perpetrator be allowed to remain in the household. In these cases, the perpetrator may be approved to remain in the household at the discretion of the PHA under three conditions:

- a. The victim must complete and submit HUD-50066.
- b. The perpetrator must comply with, and provide documentation of compliance with, court orders such as court ordered assessments, treatment, etc.
- c. There are no future incidences of violence. Other incidences of violence will result in removal of the perpetrator from the assisted household or termination of assistance.

E. APPLYING FOR ADMISSION

Families wishing to apply for any of the PHA's programs must fill out an application during the application submission period established by the PHA.

Application Dates

General applications will be taken as advertised. The HC has the authority to close the application waiting list at any time when the waiting list is too long and may exceed a one-year wait. At such time as the Waiting List (WL) is reopened, public notice will be advertised in a newspaper of general circulation. Area agencies which serve the target population will also be notified of the reopening of the WL. Applications will be distributed on a first come, first served basis without regard to race, color, religion, sex, familial status, handicap, or national origin. Applications are processed as received and applicants may check position on the WL at any time by calling or coming into the Housing Division (HD) office.

Waiting List Procedures

Applicants will be positioned on the waiting list based upon the number of preference points for which they are qualified, date and time of pre-application. Applicants who qualify for the highest number of preference points will be positioned ahead of those who qualify for fewer or no preference points on the waiting list. Changes to applicant's information should be reported to the PHA via phone, mail or in person. Failure to update information may cause a delay or loss of notification when an applicant reaches the top of the list. The HC will notify applicants, by mail, that their name has come to the top of the waiting list and to contact the PHA within fourteen (14) days. The PHA will not be responsible for the applicant's failure to receive the letter. If the applicant fails to respond by the deadline date, the removal notice will be issued and his/her name will be removed from the waiting list. The PHA does not accept responsibility for mail delays.

Upon receipt of all requested verification to determine final eligibility, the PHA will set an appointment for a tenant briefing session. If all requested certification(s) is not received within the prescribed time period (maximum) 14 days from initial interview) the applicant will become ineligible and will be removed from the waiting list. At any time the HC may determine that the family may not receive a Voucher because of fraud or failure to abide by program obligations of the HCV Program or any other subsidized housing programs.

Purging the Waiting List

The PHA may periodically update the WL to ensure that it is current and accurate. The PHA will mail a letter to the applicant's last known address, requesting confirmation of continued interest in maintaining a place on the waiting list. The PHA will not be responsible for the applicant's failure to receive the letter. The request letter will include a deadline date by which the applicant must contact the PHA. If the applicant fails to respond by the deadline date, his/her name will be removed from the waiting list. The PHA does not accept responsibility for mail delays.

Admissions Preferences

The PHA may choose to accept applications for a special admission families with targeted funding (i.e., NED-nonelderly/disabled only; homeless only), or with a preference only, even if general applications are not being accepted. If the Waiting List is open for general applications, the PHA will honor an Admissions Preference for persons meeting the following criteria:

1. Scholar House Preference (4 points) for families referred by the Scholar House Program who agree to live in the Scholar House facility, participate in the Scholar House Program and remain in good standing with the rules of the facility and the program. The Voucher issued pursuant to this preference will remain valid after the family successfully completes the Scholar House Program for as long as the family remains in good standing with the Voucher Program and income eligible. The Voucher will become void if family fails to comply with the participation criteria of the Scholar House Program or family is non-compliant with Voucher Program policies and/or HUD regulations. (See Appendix III)

2. Involuntarily Displaced Preference (4 points) for a family who has been displaced from their home due to *Government Action* including, but not limited to, condemnation, property acquisition, code enforcement, grant activity or a Federally declared disaster. In the event the Waiting List is closed to new applicants, these applications will continue to be accepted.

- a. First priority will be given to families who are current HCV or public housing participants.
- b. Second priority will be given to families who are not current HCV or public housing participants.
- c. Verification must be provided in the form of a notice of displacement or letter of referral from the agency which displaced the applicant or the Director of Neighborhood & Community Services.

3. Local Residency Preference (2 points) for families who:

Reside in and remain in City of Bowling Green Housing Division's jurisdiction (City Limits of Bowling Green) while on the waiting list. Eligibility for this Preference must be demonstrated by having a permanent physical residence within the jurisdictional area. Physical residence shall be defined as a domicile with a mailing address, other than a post office box, for which the applicant can produce:

Current Picture ID or Driver's License, and any of the following:

- i) Utility bill issued within 30 days (electric, water, refuse, telephone land/cell, cable or gas), or
- ii) Benefit letter issued within 30 days (from Social Security Office, Food Stamps, Welfare Office or retirement), or
- iii) Paystub issued within 30 days.

Full-time students enrolled or active participants in education and training programs located within the City of Bowling Green preference area will not qualify for the residency Preference solely based on their enrollment.

Residency preference will not have the purpose or effect of delaying or otherwise denying admission to the program based on the race, color, ethnic origin, gender, religion, disability, or age of any member of an applicant family. (24 CFR 982.207)

4. Homeless Preference (1 point) for a family who

- a. Lacks fixed, regular, and adequate nighttime residence; and,
- b. Has primary nighttime residence that is a local supervised public or privately operated shelter designated to provide temporary living or receives homeless services by an approved homeless service organization and provides case management services to the family; and
- c. Provides documentation from the local shelter or the approved homeless service organization program director that indicates the family resided at the shelter for at least 30 of the past 45 days or the family completed homeless services and is prepared for permanent housing and will continue to receive case management services. If the applicant meets the 30-day criteria but has moved from the shelter, a determination will be made on a case-by-case basis regarding retention of the preference. The applicant will be considered to be “homeless” if one of the following criteria exists:
 - 1) The applicant has moved from the shelter but has not relocated to permanent housing (i.e., is staying with relatives or friends).
 - 2) The applicant has relocated to permanent Housing but has a rent burden (contract rent + tenant paid utilities) which exceeds 50% of adjusted household income.
- d. No more than 25% of those applicants contacted for final eligibility interview shall be Homeless Preference applicants.
- e. Verification must be provided in the form of a referral letter from the homeless shelter provider or homeless service organization program director.
- f. Approved homeless service organizations consist of HOTEL INC and Lifeskills, Inc.
- g. For homeless applicants, the Local Residency preference will apply if the applicant had been living in City Limits of Bowling Green prior to becoming homeless (must provide documents to verify prior residency).

5. Mainstream Homeless Preference (5 points) for non-elderly persons (18 years of age or older and less than 62 years of age) with disabilities who meet any of the following conditions:

- a. Transitioning out of institutional and other segregated settings.
- b. At serious risk of institutionalization.
- c. Currently experiencing homelessness.
- d. Previously experienced homelessness and currently a client in a permanent supportive housing or rapid rehousing project.
- e. At risk of experiencing homelessness.

Verification must be provided in the form of a referral letter from the approved partnering organizations that provide a support to homeless persons with disabilities. Approved organizations consist of: Bowling Green Human Rights Commission, DCBS/Adult Protective Services, Department of Veterans Affairs Healthcare System, HOTEL INC, LifeSkills, and Salvation Army.

This is a limited preference provided for the first 30 leased vouchers. If there is no one on the waiting list that meets the preference criteria, the PHA will issue the voucher to the next family qualified for the Mainstream voucher. Once the initial 30 mainstream vouchers are served, preference expires.

All claims for above preferences will be verified based on current circumstances at the time preference is selected and during the time the applicant is selected from the waiting list and processed for initial eligibility.

If during the eligibility interview it is determined that the applicant is no longer eligible for any of the preferences claimed, the family will not receive the preference and will be placed back to the WL according to the date and time of pre-application.

Special Admissions – Targeted Funding

If HUD awards program funding to PHA that is targeted for specifically named families, PHA will admit these families under a special admission procedure. Special admission families will be admitted outside of the regular waiting list process. The following special admission programs are administered by PHA, subject to availability:

- A. Non-Elderly, Disabled (NED) Families
- B. HUD-Veteran Affairs Supportive Housing (HUD-VASH)
- C. MS5-Mainstream Vouchers

1. NED (Non-Elderly/Disabled) Vouchers

NED Vouchers are reserved for those families which head of household, spouse or co-head is non-elderly (under age 62) person with disabilities. The PHA may skip non-qualified families on the WL when a NED Voucher is available.

2. HUD-VASH (Veterans Affairs Supportive Housing) Vouchers

PHA was allocated HUD-VASH vouchers to serve homeless Veterans in partnership with the Veterans Affairs Tennessee Valley Healthcare System (VATVHS). VASH vouchers are reserved for those families that are being referred by the VATVHS. Generally, the HUD-VASH program will be administered in accordance with 24 CFR 982, however, HUD issued the regulatory waivers, requirements and alternative requirements that can be found in the following:

- a) PIH Notice 2017-21
- b) Federal Register/Vol 77, No. 57

- c) PIH Notice 2011-53
- d) on the HUD-VASH website at www.hud.gov/offices/pih/programs/hcv/vash/.

3. MS5 (Mainstream) Vouchers

MS5 vouchers are reserved for families composed of one or more non-elderly person (18 years of age or older and less than 62 years of age) with disabilities, which may include additional members who are not non-elderly persons with disabilities. The PHA may skip non-qualified families on the Waiting List when MS5 vouchers become available.

Notification and Interview Process

1. As vouchers are available, families from the Waiting List will be notified by mail to contact the HCV office to schedule an Intake interview. Families will be scheduled in the order in which they respond to the letter of notification. Families will meet with PHA Staff one-on-one to review the application, update the information and identify items to be verified. A checklist will be given to the applicant, indicating verification items needed. Verification documents must be received by the PHA within 14 days of the date of the initial interview. A Self Reporting Income Certification must be completed, listing any income for which verification is still being sought. This form is used to document attempts to secure verification of income. Missing two scheduled intake appointments may result in removal from the Waiting List and forfeiture of program eligibility.
2. Families are scheduled for a Briefing in the order in which all requested verification documents are received. Briefings are held in small groups when feasible or may be one-on-one as needed. Items disseminated and issues discussed are outlined on Appendix 1. Missing two scheduled Briefing appointments may result in removal from the Waiting List.

F. SUBSIDY AND OCCUPANCY STANDARDS

Voucher Size Issued

1. HUD guidelines require that the PHA establish standards for the determination of Voucher bedroom size and that such standards provide for a minimum commitment of subsidy while avoiding overcrowding. The unit size on the Voucher remains the same between Annual Recertifications, or until the family moves, or family composition changes.
2. The subsidy standards are set up to allow for the following:
 - a. Unrelated persons age 18 or older (other than spouses or significant others) may have separate bedrooms;
 - b. Children of opposite sex may share the same bedroom as long as both children are under age six;
 - c. A child under the age of three may share a bedroom with a single parent;
 - d. Children of same sex may share a bedroom no matter of their age.
 - e. Reasonable Accommodation
 - 1) Reasonable Accommodation will be considered for any qualifying elderly or disabled family member.
 - 2) All requests for a Reasonable Accommodation must be requested by the family in writing or via submission of a Reasonable Accommodation Form completed by a physician or other knowledgeable professional to render an opinion about the person's needs .
 - 3) Extra bedroom as a reasonable accommodation may be subsidized to accommodate
 - a. Separate sleeping quarters for those household members who otherwise would be expected to share a bedroom.
 - b. Housing for a live in aide and family members of the live in aide (see Live-In Aide under Deductions in section G).
 - i. The live in aide must be identified, verified and approved by the PHA.
 - ii. Live in aides do not have right of survivorship as a remaining member of the family for purposes of the voucher.
 - iii. Intermittent, multiple, or rotating care givers do not qualify as live in aides or extra bedroom subsidy.
 - c. Housing for medical equipment prescribed by a medical professional.
 - d. At biennial inspection, the inspector will verify that the extra bedroom is being utilized as intended.
 - e. If the extra bedroom is not being utilized for the intended purpose, the family's payment standard will be reduced at the next annual recertification.

- f. Space may be provided for a child who is away at school but who lives with the family during school recesses.

Payment Standards

Payment Standards for incoming HCV Homeownership participants may vary from rental Payment Standards (PS) and will be calculated to allow for the maximum utilization of the HCV Homeownership Program without undue reduction in the availability of rental assistance. The following criteria will be considered when setting Homeownership

- 1) Availability and cost of suitable homes to buy
- 2) Suitability for long term occupancy
- 3) Resale viability
- 4) Voucher funding availability

If the family chooses a smaller unit than would be allowed under occupancy standards, subsidy will be based on the smaller unit and will be subject to approval for occupancy by the family by the inspector.

The unit must provide family adequate space and security (minimum standard). The unit must contain a living room, kitchen area, and bathroom. The unit must have at least one bedroom or living/sleeping room of appropriate size for each two persons. The PHA will not dictate who shares a bedroom or sleeping room; however HQS/City's Code Enforcement inspector can establish the maximum occupancy of the each proposed unit.

The above stated standards are considered when determining what voucher size is issued. Fair Housing Amendments Act of 1988 and 504 regulations impact this area.

Unit Size Selected

Families may select a different size dwelling than that listed on the Voucher.

1. Standards to be applied:
 - a. Payment Standard Limitations. The PHA will apply the PS for the Voucher size issued or the unit size actually selected by the family, whichever is less.
 - b. Utility Allowance. The utility schedule used to calculate the gross rent is determined by the size of the unit the family leases or by the size of the family's voucher (whichever is the lowest of the two).
 - c. Maximum Occupancy. Housing Quality Standards (HQS) standards allow 2 persons per sleeping/living room. International Property Maintenance Code (IPMC) occupancy standards are based on square footage. Maximum occupancy standards for a unit will be established by inspection and based on the total square

footage of living space in the unit. In addition to maximum occupancy based on square footage of bedrooms, a maximum of 2 persons may be added to total maximum occupancy of a unit if the living room can be used for sleeping (i.e., the living room meets the criteria established by HQS/IPMC for use as bedroom).

2. Under the Voucher Program a family may choose a unit with a gross rent which exceeds the Payment Standard, but the tenant will pay excess rent. Voucher holders will not be allowed to pay in excess of 40% of the family's adjusted gross monthly income toward the gross rent at initial lease. All units are subject to Rent Reasonableness Review. The 40% cap does not apply to vouchers utilized for homeownership.

Changes in Voucher Size

Changes in Voucher size on which subsidy is based will be made only at Annual Re-examination or when the family moves to a new unit. All additions to family composition must be approved by the PHA. The following requests for additions to the household will be approved, depending on the eligibility of the addition: birth or adoption of a child; court awarded custody of a child, single adult child without children of their own, domestic partner of the head of household or marriage. Domestic partner means an intimate partner who lives with another adult and shares a common domestic life but are not married (to each other or to anyone else), children in common is not required. Examples of domestic partners include boyfriend, girlfriend or fiancé. Domestic partners does not include friends, roommates or relatives.

Other additions to the family will be approved on a case-by-case basis, determined by such factors as the maximum occupancy, subsidy level and any extenuating circumstances. An Addition to the Household Packet, along with all requested verification documents, must be completed and submitted to the PHA for approval prior to adding an individual to the household as a household member.

If overcrowding happens due to the change in family composition, notice is sent to the assisted family and the owner that the HAP will stop on the end of the next month. Extension may be granted if new unit is not available and family is actively seeking for a new unit.

G. INCOME CONSIDERATIONS AND DETERMINATION OF TTP

Income

The following is to be verified and included as annual income:

1. Items, which are considered income for purposes of rent/subsidy calculation, are outlined in Housing Choice Voucher Program Guidebook.10G as amended.
2. Items not to be included as income for purposes of rent/subsidy calculation are outlined in Housing Choice Voucher Program Guidebook.10G, as amended.

Note: Per the 2005 Appropriations Act, that portion of an *athletic scholarship*, which is designated as “available” to pay housing expenses, is to be included in the calculation of annual income and TTP. This applies only to athletic scholarships.

3. Monthly adjusted income will not be reduced when a decrease in public assistance results from any of the following:
 - a. Non-compliance with the conditions of an economic self-sufficiency program or work activities requirement;
 - b. An act of fraud;
 - c. Certification by DSI of the reason for the decrease in public assistance will be required at the time the decrease in income is reported to the PHA.
4. Incremental increases in household income due to income from bona fide, HUD approved training programs will be disregarded for the lesser of (1) a period of six (6) months or (2) while the participant continues in the program.
5. Earned income of disabled family members of a continuously assisted family will be disregarded as described below if the disabled member has earned less than 500 hours at minimum wage during the 12 months prior to incremental increase in household income (see Housing Choice Voucher Program Guidebook for more detail):
 - a. 100% of incremental increase in household income due to wages of disabled member for first 24 months of cumulative disregard;
 - b. Baseline Income = total current family income, prior to the onset of the disregarded income.

6. Temporary/Sporadic Income is defined as income which is usually of short duration (no longer than 6 weeks), and tied directly to seasonal employment, such as Christmas or agricultural harvesting. This income will be excluded and not be processed as interim.
7. Minimal Income. When a family reports income of less than \$100 per month (\$1200 annually), the Minimal Income Checklist and Worksheet will be used to determine whether family expenses exceed reported income. If so, additional income will be calculated and added to report household income.
8. Child Support
 - a. Child Support received through the Child Support Office is calculated as the average amount actually received by the client during the most recent 12 months reflected on the printout or listing of most recent payments, which ever best describes the income for the next 12 months. Only verified non-receipt (death of absent parent, incarceration etc.) will result in removal of Child Support income.
 - b. Child Support received directly from the absent parent as a private agreement is calculated as the current amount reflected on the Support Form.

Assets

Net family assets are defined as cash on hand and the sum of the household's savings and checking accounts in excess of \$1,000; market value of stocks and bonds; equity in real property; IRA, Keogh and similar retirement savings accounts; contributions to company retirement/pension funds; lump-sum receipts such as inheritances, capital gains, lottery winnings, insurance settlements; cash value of life insurance policies, personal property held as investment such as gems, jewelry, coin collections, antique cars; assets disposed of within the last two years for less than fair market value and other capital investments.

- a. The value of a checking or savings account will be determined by the documented balance at the time of recertification.

Family assets totaling less than \$5,000 that do or do not earn interest are entered using the actual interest rate. Net family assets totaling \$5,000 or more that do or do not earn interest are entered using the greater of (1) actual interest earned or (2) imputed interest using the National Savings rate, updated once a year.

Personal property (i.e., furniture and automobiles), interest in Indian Trust Lands, assets not accessible by the family and assets that are a part of an active business or farming operation are not considered assets. An asset is considered accessible if the asset is held in the name of a household member and the family accrues income or other benefit

from the asset.

The PHA must count assets disposed of for less than fair market value during the two (2) years preceding examination or reexamination. The PHA will count the difference between the market value and the actual payment received, in addition to the actual payment received. In the case of assets disposed of for less than fair market value, the costs incurred in disposing of the asset are excluded.

Temporary Asset Provision

HUD Notice PIH 2013-03 (HA) is hereby effective until its current expiration date (3/31/14) unless otherwise amended by HUD.

PHA will accept a family's declaration of the amount of assets of less than \$5,000 and the amount of income expected to be received from those assets. "Declaration of Assets" form which is signed by all adult family members, will serve as the self-certification. If family declares assets in excess of \$5,000, the PHA will obtain supporting documentation as stated above under "Assets".

Jointly Held Assets

If a household member has any ownership in an asset and has unrestricted access to the full value of the asset, the full value of the asset will be considered when determining the impact on the household's income. If access is limited to the portion held by the household member, only that portion will be considered.

Deductions

1. Medical Expenses

Medical expenses are available only to elderly or disabled households. Either the head of household, spouse, or a co-head must meet elderly/disabled definition. If the household is elderly or disabled, medical expenses of all household members are deducted. The following are examples of eligible medical expenses to be verified:

- a. Payments on accumulated major medical bills;
- b. Dental expenses;
- c. Prescription or physician ordered medicines;
- d. Transportation expenses directly related to medical treatment (more than 50 miles from the jurisdiction);
- e. Eyeglasses;
- f. Medical insurance premiums;
- g. Hearing aids and batteries; and
- h. Cost of live-in resident attendant;

When it is unclear in the HUD rules as to whether or not to allow an item as a medical expense, IRS publication 502 will be used as a guide. Non-prescription medicines must be doctor recommended with a specific dosage in order to be considered a medical expense.

2. Child Care Expenses

Childcare expenses are amounts paid for the care of dependents age twelve (12) or under, or disabled or handicapped family members. Deductions are allowed when care is necessary to enable a family member (including the disabled or handicapped member) to be gainfully employed, to attend school (academic or vocational) or to search for work. Allowances must not exceed the amount earned and must be reasonable and within the standard of other local child care providers.

3. Full-time Students

Full-time student is defined as a household member 18 years or older, other than head, co-head, or spouse, who is carrying a subject load that is considered full-time for day standards 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. A full-time student must be 18 years of age or older and not the head, spouse, or co-head. Full-time student status must be verified in writing if the household is claiming a dependent allowance for a child eighteen (18) years of age or older. Full time student status must be re-verified during the annual recertification. Any change in the full-time student status between annual recertifications, must be reported to the PHA by the family in 14 days.

4. Dependents

Dependents include household members age seventeen (17) and younger (other than head, spouse, live in aid, dependents of live in aid, or foster children). Household members who are handicapped, disabled or a full-time student age eighteen (18) or older will be given the dependent allowance. Foster children are considered for bedroom size only and do not have dependent status.

5. Live-in Aides

A live-in aide is defined as:

1. A person who resides with an elderly, disabled or handicapped person, and
2. Is determined by the PHA to be essential to the care and well-being of the person, and
3. Is not obligated to support the person, and
4. Would not be living in the unit except to provide necessary supportive services.

A relative may qualify as a live-in aide if all of these conditions are met. The elderly, disabled or handicapped person needing the live-in aide does not have to be the head, spouse, or co head of the family and, therefore, it is not necessary for a family to qualify as an “elderly family” in order to have a live-in aide; however, the family member requiring the Live-in-Aid must be elderly or disabled in order to qualify for a Reasonable Accommodation. Although a knowledgeable professional must document the essential need for a live-in aide (which would result in the issuance of an additional bedroom size voucher), the live-in aide must be approved by the PHA first. The PHA may disapprove a particular person as a live-in aide if s/he has:

- (1) Committed fraud, bribery or any other corrupt or criminal act in connection with any federal housing program;
- (2) Committed drug-related criminal activity or violent criminal activity; or
- (3) Currently owes rent or other amounts to the PHA or to another PHA in connection with HCV or public housing assistance under the 1937 Act,
- (4) Failed to verify the ability to provide services needed for tenant.

PHA may only approve one additional bedroom for a live-in aide. Although a live-in aide may have family member/s living with him/her in the assisted unit, no additional bedrooms will be provided for the family members of the live-in aide. If the approval of additional family members of a live-in aide would result in the violation of HQS, the additional family members of a live-in aide may not be approved. The income of a live-in aide is not counted in determining the family’s income. The live-in aide does not qualify for continued occupancy as a remaining family member.

Temporarily Absent Household Member

An adult member of the household will be considered temporarily absent if he/she is out of the household for more than 30 days but is still making monetary contributions to the household. Income of temporarily absent family members is counted. If an adult member is temporarily absent, his/her income is counted. If the member is permanently absent from the household, his/her income is not counted except as contributed to the household as support. At the request of the Head of Household, the member will be permanently removed from the lease. If the Head of Household is the absent member and wishes to confer Head of Household status on another adult member, he/she must give written permission by completing the Head of Household Replacement Form. If the Head of Household refuses to transfer Head of Household status but remains out of the household for more than 180 days or stops making monetary contributions to the household, the PHA will transfer Head of Household status at its own discretion.

If all adult family members leave the unit for more than 30 days, the PHA will assume that the unit has been abandoned and the family may be terminated from the program unless granted an extension by the PHA. Under no circumstances may the family vacate the unit for more than 180 days and remain assisted.

If a child (children) is removed from the home temporarily, there will be no change in bedroom size subsidy standard until such time as described in Section VI, Paragraph C.

If permanent removal occurs, a change in bedroom size issued will occur at the next annual re-examination.

1. Adult Member

If an adult member leaves the household, the family must report the change in family composition to the PHA. If that adult is considered permanently absent he/she will be removed from the lease. However, if he/she returns to the household or is re-added to the lease within 6 months and there was no initiation of divorce or legal separation proceedings by either party, he/she will be considered “temporarily absent” and his/her income will be counted for the period he/she was gone, resulting in a “retroactive rent” calculation. The only exception to this would be in a case where the absent member could provide proof of absence such as utility bills or canceled checks for rent in his/her name at another location.

2. Minor Child

When a child is temporarily removed from the assisted home, the child’s name will be removed from the lease but assistance will continue to be based on the bedroom size issued prior to removal of the child. Temporary status will continue for twelve (12) months following removal of the child. If the child is still absent at the first annual recertification following the twelve month period, the subsidy level will be changed to the subsidy level appropriate for the remaining household members. If the child is returned to the home, the subsidy level will, at the next annual recertification, revert to the subsidy level appropriate for the number of people actually living in the unit. If and when the child is permanently removed from the home, the bedroom size issued will be adjusted at the next Annual Re-examination if necessary.

3. Special Circumstances

If an adult child goes into the military and leaves the household, they will be determined permanently absent.

A student (other than head, co head, or spouse) who attends school away from home but lives with the family during school recesses may be considered permanently absent or temporarily absent at the family’s option.

In other situations, adult children will be determined permanently absent if the family declares them absent for at least 3 months or declares that they are permanently absent in writing.

4. Joint Custody of Children

Children who are subject to a joint custody agreement but live in the unit at least 50% of the time will be considered members of the household, will be listed on the lease, and will be eligible for the “minor deductions”. Custody arrangements resulting in the child being in the household less than 50% of the time, but more often than the 90 days per calendar year will be considered a visitor to the unit. Special exception to the “Visitor Rule” will be made to allow the child to visit as often as the custody arrangement decrees. If a child has both parents in separate subsidized units and both parents declare that the child lives with them 50% of the time, the parents must decide which parent will list the child on the lease and receive the deduction—it is not possible that the child lives with each 50% of the time (365 divided by two is not an even number). In the absence of parental decision, the parent residing in the school district where the child attends school will receive the deduction. If both parents live in the same school district, the PHA will make a decision regarding which parent will receive the deduction. Deductions will not be given to both parents in separate subsidized units.

5. Sole Member of Household

If the sole adult member of a household has to leave the household for more than 30 days due to medical reasons, the family may be terminated from the program unless they request an extension by submitting documentation from a reliable medical source that he/she will return within an additional 150 day period. In no event will a unit be considered a principal place of residence if the sole adult household member is out of the household for more than 180 days (6 months). Verified medical reasons are the only basis for an extension.

Visitors

Any guest who remains in the unit over 24 hours must be reported to the PHA within three (3) days of arrival. If reported within 3 days of arrival, an adult guest may remain in the unit for up to 30 days in a 12 month period and a minor child may remain in the unit for up to 90 days in a 12 month period. Guests who are not reported to the PHA within 3 days of arrival will be assumed to be residing in the unit in violation of program rules which may result in termination of assistance. Court custody of a minor child must be granted to a household member in order for a child to remain in the assisted unit over 90 days. Exception to the 90 day rule for minors will be granted for custody arrangements allowing a child to visit the unit as often as the court decrees.

Reporting to the Owner

Any visitor should be reported to the owner/manager in writing pursuant to the lease agreement.

Reporting to the PHA

All guests who remain in the unit over 24 hours must be reported to the PHA within 3 days of their arrival or the tenant will be considered to be in violation of the Family Obligations and subject to termination.

Lump-sum Payments

1. Lump-sum payments, 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 are counted as assets. Deferred periodic payments of SSI and Social Security benefits that are received in a lump sum will be added to household assets.
2. Lump sum additions to family assets are processed as an interim and verified with appropriate asset form. Any drawn amounts not on the bank accounts must be verified by the family and any unexplained balances will be added to the asset.
3. Lump sum payments caused by delays in processing periodic payments (unemployment, welfare, child support, etc.) are counted as income whether or not they were delayed due to a dispute or because of processing problems.
4. Lump sum additions to household income will be processed according to standard interim policy and handled in the following manner:
 - If there is no change in HAP, additional assets are updated with the next interim or annual recertification.
 - If the interim change would result the change in HAP, then interim is done:
 - a. An interim adjustment will be processed, adding the total amount of the lump sum .
 - b. At the next annual recertification, the lump sum amount will be adjusted to include only those months remaining.
 - c. Example: \$2,500 lump sum is reported in June. Annual recertification is in January.
 1. Interim is processed, adding \$2,500 annual income, effective August 1(5 months prior to recert).

2. At recertification in January, the \$2,500 is adjusted to \$1,458 to reflect 7 months remaining ($\$2,500/12 = \$208.33 \times (12-5) = \$1,458$). This amount remains until next recertification and is then removed.
5. Lump sum payments (income or asset) are subject to the same reporting requirements as regular income and, if not reported within fourteen (14) days of receipt, will be subject to the same repayment/termination policy.

Minimal Income

There is no minimum income requirement. Staff will interview applicants/tenants and use the Minimal Income Checklist to determine if, in fact, there is no income coming into the household from any source. Reported contributions to family income will be counted as support. Expenses reported which are in excess of reported household income will be counted as non-wage income. Income as calculated on the Minimal Income Worksheet will be treated as any other income when determining whether an interim adjustment is necessary. Minimal income will be included as family income until new income that exceeds minimum of \$100 per month is reported. At that time, new income will replace minimal income.

Total Tenant Payment Calculation and Maximum Subsidy

Total Tenant Payment (TTP) is calculated as the greater of (30% of adjusted household income or 10% of gross income) and is the amount to be paid by the tenant toward his/her own housing cost. In the Voucher Program, the difference between the lesser of (the Payment Standard or the Gross Rent) and the TTP is the subsidy amount. There is no shopping incentive for voucher holders where the Gross Rent is less than the Payment Standard. Subsidy for these units will be calculated as the Gross Rent minus the greater of (30% of adjusted gross income or 10% of gross income).

The tenant has the option of choosing a more expensive unit and paying more than 30% of adjusted gross monthly income; however, a tenant first leasing in the program or moving to a new unit will not be allowed to pay in excess of 40% of AGMI toward gross rent. An initial lease requiring a tenant TTP exceeding 40% of AGMI will not be approved by the PHA.

Annual Income from Wages

Annual income from wages will be calculated in the following manner, unless disputed and verified by tenant:

1. Average gross income received during most recent 12 months (or since date of hire if less than 12 months) as verified on wage history; or
2. Average gross income received during most recent 60 days as verified on check stubs; or
3. Current income as verified on a completed Wage Form; or
4. Using the income history that would best describe the income of next 12

months

Sporadic or intermittent income will be calculated as the average over past 12 months.

Minimum Rent

The PHA adopted a minimum TTP of \$50.00. Pursuant to HUD regulations, if 30 percent of the monthly adjusted household income is less than the established minimum rent, the total tenant payment (TTP) toward rent and utilities will be increased to \$50.00.

Financial Hardship Exemption from Minimum Rent

The Housing Division recognizes that in some circumstances even the minimum rent may create a financial hardship for a family. Families cannot request a hardship exemption if the family's calculated TTP is higher than the minimum rent. All requests for the exemption must be in writing and accompanied by the supporting documentation verifying the incident. The voluntary loss of income, or voluntary continued loss of income, does not qualify a family for the financial hardship exemption from minimum rent. In order for a family to qualify for a hardship exemption; the family's circumstances must fall under one of the following HUD hardship criteria:

1. The family has lost eligibility or is awaiting an eligibility determination for federal, state, or local assistance, including a family with a member who is a noncitizen lawfully admitted for permanent residence under the Immigration and Nationality Act and who would be entitled to public benefits but for Title IV of the personal Responsibility and Work Opportunity Act of 1996.
2. The family would be evicted as a result of the imposition of the minimum rent requirement.
3. The income of the family has decreased because of changed circumstances, including loss of employment, death in the family or other circumstances as determined by the PHA or HUD.

Suspension of Minimum Rent

All qualified requests will be approved for suspension effective the first day of the following month. The PHA will determine if financial hardship is:

- A. Temporary Hardship Suspension – If the PHA determines that the hardship is temporary, the minimum rent will not be imposed for a period of 90 days from the date of the family's request, unless the family reports that the temporary hardship no longer exists. At the end of the 90-day suspension period, the minimum rent will be reinstated retroactively from the beginning of the suspension. The PHA will offer the family a repayment agreement for the amount of back rent owed by the family. Such repayment agreements will be set at \$25.00 per month until balance is paid in full over the period not to exceed 12 months.
- B. Long-Term Hardship Exemption - If the PHA determines that there is a qualifying long-term financial hardship, family will be exempt from minimal rent

requirement so long as such hardship continues. Families approved for long-term hardship will be required to update current income and eligible circumstances every 90 days.

A suspension will be provided only once for each incident that occurs in the household. The financial hardship exemption or suspension only applies to payment of the minimum rent and not to the other elements used to calculate the total tenant payment.

Non-Independent Student Income at Admission

A student who does not meet the definition of “Independent Student” per the Department of Education must verify parental income for the determination of income eligibility at admission. In order to be admitted, the student must meet the following income guidelines:

1. The parents’ household, individually or jointly, must be income eligible; and
2. The student household must be income eligible.

Income eligibility may be determined using tax returns or, if not available, items to be verified may be identified using the intake checklist.

Student Financial Aid

Some financial aid of students is excluded. See Appendix V. Financial aid means government grants, loans, scholarships, private grants, work study, etc. Any portion of an athletic scholarship, which is designated for housing, is included as income and not excluded.

Non-Independent Student Independence from Parents

A student who does not meet the definition of Independent Student may document his/her independence from his/her parents if both of the following are true:

- a. The individual is at least 18 years old;
- b. The individual can document that he/she has established a household separate from his/her parents for at least one year prior to application;
- c. The individual can document that he/she was not claimed as a dependent by his/her parents on the parents’ most recent income tax return;
- d. The individual provides certification of the amount of financial assistance that will be provided by his/her parents, even if zero.

If the student documents all of the above, he/she will be afforded the same status as an Independent Student.

H. VERIFICATION POLICY

General Policy

All income and deductions will be verified via third party methods. Verifications are valid for a period of 60 days. Income verification will follow the following methods:

Level	Verification Technique	Ranking
6	Upfront Income Verification (UIV) using HUD's Enterprise Income Verification (EIV) system (not available for income verifications of applicants)	Highest (Mandatory)
5	Upfront Income Verification (UIV) using non-HUD system	Highest (Optional)
4	Written third Party Verification	High (Mandatory to supplement EIV-reported income sources and when EIV has no data; Mandatory for non-EIV reported income sources; Mandatory when tenant disputes EIV reported employment and income information and is unable to provide acceptable documentation to support dispute)
3	Written Third Party Verification Form	Medium-Low (Mandatory if written third party verification documents are not available or rejected by the PHA; and when the applicant or tenant is unable to provide acceptable documentation)
2	Oral Third Party Verification	Low (Mandatory if written third party verification is not available)
1	Tenant Declaration	Low (Use as a last resort when unable to obtain any type of third party verification)

Note: This verification hierarchy applies to income determinations for applicants and participants. However, EIV is not available for verifying income of applicants.

Verification documents procured from HUD databases or other third party sources will be considered confidential and will not be shared with persons outside the PHA. Other than PHA staff, only the head of household or the specific individual reported on will have access to these verification documents. Verification procured from HUD databases used for verification of income is subject to tenant review and dispute. If

disputed, the tenant will be given an opportunity to present alternative third party documentation and the PHA, upon review of all documents, will determine the result. As always, the tenant will be afforded an opportunity for an Informal Hearing prior to adverse action.

Items to be Verified

The following items will be verified at admission, annual re-examination and when the family moves to another assisted unit.

1. All income
2. Net family assets as described in Section G
3. Full Time Student Status as defined by the institution they are attending for household member 18 and over is to be verified each semester.
4. Total Medical Expenses for “elderly” families whose head or spouse is 62 years of age or older, or handicapped, or disabled according to HUD definition.
5. Child Care Expenses where it allows an adult family member to be gainfully employed or to further his/her education or to search for work.
6. Handicapped Assistance Expenses to include those costs associated with attendant care or auxiliary apparatus which allows an adult family member to be gainfully employed or to further his/her education or to search for work.
7. Reasonable Accommodation Request for an elderly or disabled person.
8. Families reporting minimal (less than \$100 per month) or no income will be required to complete a Minimal Income Checklist. Housing staff will use this information to complete the Minimal Income Worksheet to determine if reported household expenses exceed reported household income and adjust annual income accordingly.

I. BRIEFING OF FAMILIES AND ISSUANCE OF VOUCHERS

Briefings

1. Purpose of the Briefing

The purpose of the briefing is to fully explain the Housing Choice Voucher program to the eligible family so they may fully understand program requirements and procedures to lease an acceptable unit. If an applicant fails to appear for a scheduled briefing, one additional appointment will be scheduled.

2. Briefing Attendance Requirements

Missing two scheduled appointments will result in removal from the waiting list. Each applicant will be required to attend a briefing when issued a Voucher. A briefing video, if available, produced by Nan McKay will be shown during the briefing session. In addition to issuing information packets to each applicant, individual or small group instruction will be provided for the program to be properly explained. The staff will be available to discuss housing search problems during the search period. See Appendix 1 for list of issues discussed and items disbursed during the Briefing.

Voucher Issuance

Vouchers will be issued at the briefing session. The number of Vouchers issued will ensure that the PHA (to the extent possible) will stay close to 100% lease-up in accordance with HUD regulations.

1. Expirations

The Voucher is valid for a period of 60 days from the date of issuance. Families will be encouraged to utilize their assistance as soon as possible and to contact the PHA on a regular basis if assistance is needed or circumstances change. The family must submit the Request for Tenancy Approval (RTA) within the 60-day period unless an extension has been requested by the family and granted by the PHA.

2. Once an RTA has been submitted and approved, the unit will be scheduled for inspection.

- a. If the unit fails the initial inspection, it must pass within 30 days of the inspection date. If the voucher expires within the 30 day repair period and the unit passes inspection within the 30 day repair period, the RTA will be honored.
- b. If the unit fails the initial inspection, the family may decline to lease the failing unit and submit another RTA at any time prior to

the expiration of the voucher. If the voucher expires during the 30 day repair period and the unit has not passed inspection prior to the end of the 30 day repair period and the family has not submitted another RTA, the voucher will expire as scheduled and the family will forfeit admission to the program.

3. Extensions

The PHA may grant an extension or extensions not to exceed an additional 60 days beyond the original expiration date. If a family still has not turned in an approved Request for Tenancy Approval, the Voucher will expire and they will be removed from the waiting list. Extensions are permissible at the discretion of the PHA primarily for three reasons:

- a. Extenuating circumstances such as hospitalization or a family emergency for an extended period of time which has affected the family's ability to find a unit within the initial 60-day period.
- b. The family is issued 4 or more bedroom voucher and has evidenced that they have made a consistent effort and have been unable to locate a suitable unit.
- c. The family has turned in a RTA prior to the expiration date listed on the Voucher but the unit has not passed HQS.

4. Suspensions

Suspension of the Voucher will occur during the time that approval of a RTA is pending. When issuing a voucher the PHA expects that if the family finds an approvable unit, the PHA will have the funds available to enter into a HAP contract with the owner. However, the PHA is under no obligation to the family, to any owner, or to any other person, to approve a tenancy. The PHA does not have any liability to any party by the issuance of the voucher. The voucher does not give the family any right to participate in the PHA's HCV program. The family becomes a participant in the HCV program when the HAP contract between the PHA and the owner takes effect.

Security Deposit Requirements

The owner, at his/her discretion may collect a Security Deposit. Amount of security deposit is determined by owner, but it must be reasonable and not more than what he/she charges other tenants not participating in the HCV program. The PHA considers a reasonable amount for deposit to be not more than one month's contract rent. If the tenant leases in place, the landlord may accept the initial security deposit as the full security deposit.

J. PORTABILITY

Portability allows a family to move from a PHA's jurisdiction to another location with continued assistance. Under Portability, an assisted family may move into another jurisdiction without applying on the waiting list of the receiving PHA. Portability out will be approved for eligible applicants/tenants under the following circumstances:

- When funding is available and PHA is being billed by receiving agency, or
- When the receiving jurisdiction absorbs; or
- Portability in will be billed unless funding is available to absorb.

General Policy

(a) A New Applicant that has not yet leased a unit is eligible for portability if the head of household was a resident of the issuing jurisdiction at the time the application for assistance was submitted. A "resident", is a person who has a legal domicile in the jurisdiction. To verify residency a lease, school records, a voter registration or similar records may be used. A non-resident family will be required to initially lease a unit for 12 months within the issuing jurisdiction before they can be eligible for portability. Additionally, the family must meet all admissions criteria established by the PHA.

(b) A Participant Family is eligible for portability only when the family is able to move out of its current unit under the terms of the family's lease, do not owe the PHA or any other PHA any monies and are otherwise in good standing with the PHA. Continuously assisted families will not be subject to the admissions income limit.

Family Responsibilities under Portability

Families wishing to exercise portability must have legal residency in the issuing jurisdiction and provide verification of the same if requested by the PHA. The family has the responsibility to notify the PHA of where it wants to move. The family must complete a Family Request for Portability Form and submit it to the PHA. No action will be taken until this form is completed and the proper 30-day notice procedure has been followed. The Issuing PHA will contact the Receiving PHA and submit HUD form 52665 with required documentation. The family is responsible for submitting a Request for Tenancy Approval in the Receiving PHA's jurisdiction by the established deadline.

Initial PHA Responsibilities

The PHA will brief new Voucher holders regarding portability program options. The PHA will contact the Receiving PHA on behalf of the family, establish income eligibility for new admissions and provide the family with contact information of the Receiving PHA. The Issuing PHA will submit the appropriate documents to the Receiving PHA and submit the appropriate 50058 to PIC, depending upon absorption or billing by the

Receiving PHA. If being billed, the Issuing PHA will expect the initial bill within 60 days of the expiration date of the voucher and will execute payment within 30 days of receipt. Subsequent payments will be made to ensure receipt by the Receiving PHA no later than the 5th day of each month.

Receiving PHA Responsibilities

The Receiving PHA must decide whether to accept the Voucher and administer it for the Initial PHA and bill the Initial PHA or issue a Voucher of its own. The Receiving PHA must also recertify the family's income initially and at least annually thereafter to calculate the housing assistance payment. Furthermore, the Receiving PHA must perform the usual functions to lease up the family and administer the assistance, just as it would if the family was on their own program. The Receiving PHA must submit the initial bill to the Issuing PHA within 60 days of the expiration date of the voucher or 10 working days of the date of execution (not effective date) of the HAP Contract, whichever comes first.

K. LOCATING SUITABLE HOUSING

Responsibility for Locating Housing

Once a Voucher has been issued, it is the family's responsibility to locate suitable housing. The housing unit must be within the rent limits of the program, meet Housing Quality Standards requirements (including minimum size requirements for units), and meet Rent Reasonableness. The owner must be willing to enter into the Housing Choice Voucher (HCV) Payments Contract.

The PHA will maintain a list of owners who have requested to have their names available to HCV holders. The PHA will also maintain a list of available units that will be posted and made available to HCV holders.

Eligible Types of Housing

The following types of housing may be utilized on the Voucher programs (unless designated otherwise):

1. All structure types can be utilized, including but not limited to single family, duplex, tri-plex, fourplex, garden apartments, townhouses, and highrises;
2. Manufactured homes where the tenant leases mobile home and lot;
3. Lot rent only where the participant owns the mobile home and leases space;
4. Property owned by the assisted family may not be occupied by the family and subsidized through the program, except under the Homeownership Program.

Request for Tenancy Approval and Lease

The Request for Tenancy Approval must be submitted prior to the expiration of the Voucher. Both owner and participant must sign the Request For Tenancy Approval. The PHA must receive the Request For Tenancy Approval before the HQS inspection.

The PHA will review the document to determine whether or not the unit can be approved. The PHA will also schedule a Housing Quality Standards inspection before proceeding with other lease-up procedures.

L. HOUSING QUALITY STANDARDS AND INSPECTIONS

General Purpose

Each housing unit occupied by an assisted participant under this program must meet Housing Quality Standards and IPMC Basic Property Maintenance Code. It is the intent of this PHA to ensure that each unit meets performance and acceptability requirements in order to meet the requirements of decent, safe, and sanitary housing. This standard will be achieved by adhering to quality control guidelines set forth in the HUD Inspection Manual.

Initial Inspection

PHA schedules initial inspections upon approval of an RTA and the inspector completes the inspection sheet according to the Housing Quality Standards and local codes to ensure the unit is decent, safe, and sanitary. The inspection must be scheduled within 15 days of the receipt of an approved RTA, unless a later time is requested by the owner. If utilities are not active and/or equipment are not visible or accessible during the initial inspection, the owner must verify that the utilities are active and/or equipment is in working condition before the execution of the HAP Contract. While conducting the inspection, it is the responsibility of the inspector to note the unit's present condition, listing any deficiencies that need correction. When a unit is declared unacceptable, the inspector determines structural and/or major repairs that are required to make the unit decent, safe, and sanitary. The unit must comply with the Housing Quality Standards and IPMC code before the lease and contract can be negotiated. After the inspection is completed the unit will be (1) approved or (2) failed and the owner notified. If the unit fails, the owner will receive a copy of the completed FAIL REPORT that explains needed repairs to bring the unit into compliance.

The owner is advised of deficiencies and the repair deadline. Once a unit has been inspected and is approved, contingent upon seasonal repairs (e.g. painting exterior of unit in adverse weather conditions), the owner is notified of the date of the HAP Contract and the amount of approved rent. The owner is advised to execute a lease, if not already done, and to contact the HCV office to schedule a Lease Closing during which the terms of the Lease and Contract are discussed and all remaining documents are signed. A copy of the Lease is retained in the tenant file.

Move-out Inspection

A move-out inspection is completed only for the purposes of documenting damages for a landlord who is filing a small claim action against the tenant for recovery of damages. To schedule the inspection, the landlord must provide a copy of the court document to the PHA and, once completed, a copy of the inspection will be provided to the landlord. Copies of past inspections will be provided to the landlord upon request.

Interim Inspections

An Interim Inspection will be conducted following the filing of a report from a family regarding the condition of the assisted unit. If the report lists a condition that is life threatening, then the PHA will schedule an inspection within 24 hours (2 Business Days) and will allow the owner 24 hours to make the repairs. If the report lists a condition that is not life threatening, then the PHA will schedule an inspection within 15 calendar days and will allow the owner no more than 30 calendar days to make the repairs.

Lead Paint Hazard Control

All units built prior to 1978 and occupied by a child less than 6 years of age will be inspected for possible lead paint hazard. A visual inspection will identify potential problem areas which will be required to be addressed per HUD regulations in 24 CFR Part 35. Following abatement, clearance testing will be required to ensure the elimination of any remaining hazard from dust.

Additionally, the PHA will be notified by the local Health Department of any Elevated Blood Level (EBL) child under 6 and the PHA will cross reference this information with HCV tenant records. Any match will result in enforcement of 24 CFR Part 35.

Normal Wear and Tear

Guidelines for normal wear and use, existing conditions, routine turnover, cleaning, and scheduled interior painting are as follows:

- Painting—3 years
- Carpet—5 years
- Refrigerator—7 years
- Stove—7 years
- Sheet vinyl—7 years

M. TENANCY APPROVAL AND HAP CONTRACT EXECUTION

Documents to be submitted

The owner is required to use the same lease used for non-subsidized tenants. The lease must contain, word for word, all provisions contained in the HCV Lease Addendum. The owner's lease must be compliant with all state and local laws and the owner will be required to sign a certification to that effect. If the owner does not have a standard lease, he/she may use a lease provided by the PHA. If there is a conflict between the language contained in the HUD lease addendum and other sections of the owner's lease, the lease addendum will prevail. The term of the lease must be for one year and will end at the end of the month prior to the tenant's recertification date.

Rent Reasonableness

Rent reasonableness will be determined when approving RTA and when owners request rent increases. This determination will be made on a case-by-case basis by which the PHA will compare the requested unit to unassisted units that are comparable. Comparable records will be maintained and updated annually. A landlord may submit comparable units to the PHA at lease up or reexamination and must submit comparable units upon request of the PHA.

Tenancy Approval

After the PHA has reviewed the Request For Tenancy Approval, certified and documented Rent Reasonableness, conducted a passing inspection, checked to make sure the gross rent is within applicable limits and does not exceed 40% of the tenant's adjusted monthly gross income, the PHA may approve the lease. If the PHA determines that the lease cannot be approved for any reason, the landlord and the family will be notified.

HAP Contract Execution

The PHA will approve a new lease and execute a new HAP contract in the following cases:

- a) There are changes in tenant or owner supplied utilities or appliances;
- b) There are changes governing the term of the lease; or
- c) The family (applicant or participant) moves to a new unit (even if the unit is in the same building or complex)

When the lease approval process is completed, the PHA will prepare the HAP contract. The PHA will compute the TTP, tenant rent, utility reimbursement (if any) and the housing assistance payment. The HAP Contract must be signed within 60 days of the lease date or assistance payments cannot be paid retroactively. The tenant and landlord are provided copies of the lease addendum, lease and a copy of a HAP

Contract.

N. OWNER PAYMENT AND UTILITY ALLOWANCE

Owner Payment

The payment to the landlord is based upon Contract Rent approved by the PHA less the Tenant Rent determined by the PHA.

Utility Allowances

If the family pays for some or all utilities, the PHA will calculate a utility allowance. The allowances are based on utility rates and average consumption estimates, not on a family's actual energy consumption. The utility allowance schedules are to be reviewed annually.

Making Payments to Owners

Once the HAP contract is executed, the PHA begins processing payments to the landlord. Checks are computer-issued and are written at the end of each month and if needed at the middle of the month. Every effort will be made to mail the assistance checks in time that they will be received by the Landlord by the first of the month, but checks are not considered late unless not received by the 10th of the month. Failure to receive the check due to mail delays is not the responsibility of the PHA. A HAP register will be maintained as a basis for monitoring the accuracy and timeliness of payments.

Utility Reimbursement Payments

Where the utility allowance exceeds the Total Tenant Payment of the family, the PHA will provide a Utility Reimbursement Payment for the family each month. The checks will be sent directly to the utility companies.

O. ANNUAL ACTIVITIES

The PHA conducts three activities on an annual basis including: reexamination of income, assets, and deductions; the physical inspection; and a Contract Rent increase if requested properly by the Owner. These activities may occur simultaneously but are not required to be conducted simultaneously.

Annual Recertification

Families must provide verification of income, assets, allowances, deductions, and family composition annually. Annual reexaminations are effective on the first day of the month prior to the anniversary of the lease. Income limits will not be used as a test for continued eligibility at reexamination. For example, a family who has been admitted into the HCV Program by passing the Very Low Income Limit test cannot be terminated at reexamination because their income has increased above the Very Low Income limit. They will, however, be terminated if their income has increased to a level which makes their TTP equal to or in excess of the Gross Rent and remains at that level for a period of six months.

1. Reexamination Notice to the Family

The PHA will maintain a re-examination tracking system and 90 to 120 days in advance of the scheduled annual re-exam effective date, the head of household will be notified by mail that he/she is required to attend a reexamination interview on a specified date or reschedule a date in advance if the scheduled date is unacceptable. If the family fails to keep the scheduled appointment, a second notice will be sent notifying the family of a second interview date. If the family fails to keep this second appointment, a Termination Notice will be sent. The Termination Notice will be voided if the family makes and keeps a recertification appointment, and provide all documents need to complete certification, prior to the effective date of the termination. If all required recertification documents are not received at least 60 days prior to the recertification date a Termination Notice will be sent.

2. Recertification by Mail

Families whose only household income is limited to Social Security, Social Security Disability or SSI will have the option to conduct the annual recertification by mail. The same timeline as with a regular recertification will apply: if the recertification packet is not returned to the office within 30 days a second notice will be mailed. If all required recertification documents are not received at least 60 days prior to the recertification date a Termination Notice will be sent. The Termination Notice will be voided if the family submits all required documents prior to the effective

date of the termination.

3. Verification of Income, Assets, and Deductions

All information will be verified in accordance with verification procedures outlined in Section H--Verification Policy.

4. Changes in Tenant Rent

When the information is analyzed, all necessary documents are prepared and signed by the tenant, and all other requirements have been met, the PHA will recalculate the tenant's portion of rent. The PHA will notify both the tenant and landlord of the completion of the amendment, any change to the contract rent and/or HAP amount and the effective date of the change.

Biennial HQS Inspection

1. General Policy

The PHA will conduct an inspection using the Housing Quality Standards and IPMC Code at least biennially. Staff may elect to schedule annual inspections on an individual unit basis, if they determine that the unit has previous failed inspections. Staff will complete inspections upon receipt of tenant complaint, according to tenant complaint policy.

The PHA must not make any housing assistance payments on a dwelling unit that fails to pass the HQS/IPMC inspection. If the unit fails due to an action or inaction of the family, the owner may cancel his HAP contract and/or the PHA may terminate assistance to the family. In this case, HAP will continue on the unit during the period that is given for repairs to be made as long as the family remains in the unit. Otherwise, it must be corrected within 30 days. If the failed items are not the fault of the family and failed items are not corrected within 30 days, the family will be issued a moving voucher, effective on the first day following the repair period. If the breach is determined to be life threatening, it must be corrected within 24 hours.

2. Emergency Repair Items

The following items are to be considered of an emergency nature and are to be corrected by the owner or tenant as required within 24 hours of notice by the Inspector:

- a. First floor door that will not lock

- b. Natural gas leak—to be determined by gas provider
- c. Plumbing leak or flooding which makes unit uninhabitable
- d. Electrical situation which makes unit uninhabitable—to be determined by an electrical inspector if possible
- e. No heat when outside temperature is below 50 degrees
- f. No running water
- g. Landlord provided utility (ies) shutoff
- h. No useable sanitary facilities
- i. No working smoke detector in unit

In cases where there is not an imminent danger to the tenant, the PHA may give a short extension of not more than 48 hours where the owner cannot be notified or if it is impossible to repair within the 24-hour period. If emergency items are not corrected within 72 hours, the HAP contract will be canceled and assistance to the landlord will cease.

Rent Increases by Owner

If proper procedure is followed, the tenant must agree to the approved rent increase in order to remain in the unit. If the tenant refuses an approved rent increase, the landlord may evict the tenant. Rent increases will require submission of a Request for Rent Increase (or Request for Tenancy Approval if a new lease is to be executed) and will be granted as follows:

- 1. It has been at least 12 months since the tenant first leased the unit.
- 2. A completed Request for Rent Increase form has been submitted to the PHA at least 60 days in advance.
- 1. The requested rent is comparable to the rents charged for comparable units.
- 2. If a new lease is requested by the landlord, a completed and signed Request for Tenancy Approval must be submitted 60 days prior to the effective date of the rent increase. The Request for Tenancy Approval is used in place of the Rent Increase Request form.

Annual Adjustments in Voucher Payment Standards

The PHA will have the option of adjusting the payment standard in conjunction with adjustments in the Fair Market Rent schedule published by HUD with the effective date of October 1st. each year. Any adjustment to the Payment Standard will ensure that the Payment Standard remains within the range of 90% to 110% of the published Fair Market Rent for the appropriate bedroom size. If there is an affordability adjustment (increase only) in the Payment Standard between a tenant's annual re-examination dates, the new payment standard will be used when calculating rent during the next annual re-exam. No change in a family's payment standard based on a change in the composition of the household will occur between annual re-exam as long as they

remain in the same unit. If because of a change in family composition current unit is found be overcrowded, notice is sent to the tenant and the owner that HAP will stop on the end of the next month. If new unit is not approved, PHA may continue with the HAP until the new unit becomes available for the family.

The PHA may establish an exception payment standard of not more than 120 percent of the FMR as a reasonable accommodation. If the requested payment standard is in excess of 120 percent of the FMR the PHA may seek HUD approval.

P. INTERIM RECERTIFICATION

TTP and Tenant Rent will remain in effect for the period between regularly scheduled reexamination except:

1. The tenant must report the following changes within 14 days of onset:
 - a. Any increase in household income - Any incremental increases in gross annual household income and assets that has effect on Tenant Rent and HAP will be processed as an interim.
 - b. All changes in household composition - All additions to the household due to birth, marriage, divorce or court awarded custody will have automatic approval. All other additions are subject to approval at the discretion of staff and will be approved on a case by case basis, considering things such as: maximum occupancy of the unit; medical needs of the assisted tenant; educational needs; etc.
2. The tenant may report any of the following changes:
 - a. Increase in allowances or deductions.
 - b. Decreases in income.
3. Failure to report required increases in income within fourteen (14) days of onset will constitute program fraud and may result in
 - (1) Retroactive rent calculations and/or
 - (2) Termination of assistance.

All unreported income will result in a Repayment Agreement and an interim (if income is ongoing), regardless of the amount. The Repayment Agreement will capture all unreported income from the date of onset to the effective date of the

interim or all under reported income in excess of \$2400 in annual income.

4. Interim Change Reporting Form. This form will be used to verify when family reported the change and attempts to secure third party verification between annual re-certifications. If all attempts fail, the self reported amount will be used to calculate TTP until third party verification is obtained.
5. Earned Income Disregard of Disabled Household Members. 100% of the incremental increase in household income, which is a result of earned income of any disabled household member, will be disregarded for 24 cumulative months of employment. Employment of disabled persons is subject to same reporting rule as all other employment and disregard period will be calculated and tracked by PHA staff. See Nan McKay Master Book, page 3.3-16 for detail.
6. Changes in expenses calculated on the Minimal Income Worksheet are treated as any other income and will be processed as an interim if it would result in change of Tenant Rent or HAP.
7. Effective Dates of Net Adjustments
 1. Increases in TTP resulting from a net increase in gross annual household income that would increase the family share, will become effective on the first day of the month after giving reasonable written notice to the family and the owner. Assuming the family reported change within 14 days of occurrence and provided information as required, the PHA will consider reasonable time to be approximately 30 days. If the family fails to report an increase in income within the 14 day window, or causes a delay in annual re-examination processing, then the 30 day notice may be forfeited and the effective date of an increase may be effective on the first day of the month following the date of reported/discovered increase in income or on the re-examination due date.
 2. Decreases in TTP resulting from a net decrease in gross annual household income or an increase in deductions or allowances that would lower the family share, will become effective:
 - If there is a decrease in the family share, the effective date of the change occurs on the first day of the month following the date of the reported change. In cases where the family failed to report the change, the PHA will not make the notice effective retroactively.

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Q. REPORTING AND APPOINTMENT PROCEDURES

Timely Reporting

The standard for reporting changes for interims in a timely manner is for the family to report the change within fourteen (14) days of onset.

Timely reporting of changes in gross annual household income will allow the PHA to determine whether or not an interim adjustment is necessary, pursuant to the policy outlined in Section P, Interim Recertifications. If not reported within the 14 day window, the grace period is forfeited and all increases in gross annual household income will result in a Repayment Agreement. In the event income was not reported within the 14 day window, if the income is ongoing, an interim will be processed, regardless of the amount.

Missed Appointments

It is the family's responsibility to attend any scheduled meetings. Reschedule requests must be made 24 hours in advance. Illness or interference with work/school schedule will be excusable. Generally, if the family misses one appointment, a second will automatically be scheduled. If the family fails to appear for a second scheduled meeting without a verifiable legitimate excuse, the family may be terminated in accordance with termination and informal hearing procedures.

R. REPAYMENT AGREEMENTS

Repayment Agreements will be executed according to the following standards:

- a. If amounts owed to the PHA which are less than or equal to \$100, the balance due must be paid in full within 30 days of notification.
- b. For amounts owed to the PHA which are greater than \$100 but less than \$3,000, an initial payment of \$100 must be made within 30 days of notification with the remaining balance payable in the amount of \$50.00 per month.
- c. Unreported income in an amount exceeding a total of \$10,000 or an amount owed to the PHA exceeding a total of \$3,000 will be grounds for automatic termination and issuance of a Repayment Agreement.
- d. If a more than one Repayment Agreement is executed concurrent with an existing Repayment Agreement, requirement is followed: Once the standard (\$100.00) down payment is made, the monthly payment on the second (or any subsequent) agreement will be \$25. When either repayment is paid in full, the monthly payment for the remaining agreement will be \$50.
- e. If at any point tenant has more than 3 (4 or more) unreported, late reported, or under-reported incomes that will result in more than 3 (4 or more) repayment agreements during the most recent 36 month period, these actions will be considered as repetitive violation of family obligation and possible fraud, which will result in automatic termination of assistance.
- f. Repayment agreements executed for minimal rent suspension will have monthly payments of \$25.00 to be paid in full over maximum period of 12 months.
- g. All payments must be received by the fifth day of the month. If the family's payment is two (2) months delinquent, the repayment agreement will be in default on the last day of the second month and all monies will be due in full.
- h. If the family fails to make restitution as outlined in this section, assistance will be terminated. If a family is terminated from the program with debt owed to PHA, the PHA will report and submit the owed amount to the HUD's EIV System to restrict family participation in any other subsidized housing programs until the debt is paid in full or for 10 years after termination date
- j. Outstanding debts may be turned over to collections.

If the PHA does not terminate assistance but allows a tenant to repay amounts owed, a Repayment Agreement must be signed by the tenant. The PHA may deny or terminate assistance for breach of agreement. A tenant may not move to another unit with assistance as long as there is an outstanding balance due the PHA. Exceptions to this rule will be considered on a case-by-case basis.

S. MOVING WITH ASSISTANCE

Family Moves

The family may move with assistance after the first year of their lease as long as they do not owe the PHA or any other PHA any monies and are otherwise in good standing with the PHA. The family will be issued a Voucher to move which will expire after 60 days.

Family Notice to Move

In order to move in compliance with the program and continuation of HCV assistance, a family must give their current landlord a 30-day written notice on a PHA form (30 day notice). The PHA terminates HAP Contracts only on the last day of the month. The Intent to Terminate must be signed by both the tenant and landlord and submitted to the PHA by the last day of the month prior to the month in which the family wants to move (i.e., if the family wants to move on January 31, the Intent to Terminate must be submitted by December 31. The PHA gives final approval. Families may only terminate the lease after they have satisfied any lease obligation.

Permission to move with assistance prior to the expiration of the lease must be approved by the PHA and will be granted on a case by case basis for reasons involving a direct threat to the health and/or safety of a household member_ (i.e., relocation out of the jurisdiction to escape a documented physically abusive relationship; relocation from a non-code compliant unit if non-compliance is not the fault of the tenant) and will be granted only if the family is in good standing and has not violated other program rules. Lease terminations will be consistent with the rules governing month-to-month leases. Leases will be terminated only on the last day of the month.

If a family vacates a unit without proper notice to the owner and/or the PHA, it will be considered a violation of family obligations and the family's assistance will be terminated.

Overlapping HCV Payments

If a family moves from an assisted unit with continued assistance, the effective date of the assistance at the new assisted unit may begin during the month the family moves out of the first assisted unit. Overlap of HCV assistance payments (for the month when the family moves out of the old unit) and the first HCV assistance for the new unit, is not considered duplicate housing subsidy. Overlapping HCV assistance are not allowed if the owner of the new unit and the old unit is the same.

Voucher Issuance Determination for Split Households

When the household is divided and becomes more than one household (e.g. divorce or legal separation), the PHA must determine who is eligible to participate in the program. Either party may retain the Voucher if there is mutual consent or a Court stipulated determination of which party retains the HCV assistance. The HC will be required to make the decision in the absence of mutual consent or a Court decision. In making such decision, the HC will consider the desires of the parties involved, which party has the children, to whom the assistance was issued originally if not jointly, and who remains in the unit. Documentation to prove these items will be provided. The PHA reserves the right to issue a Voucher to both adult members of the tenant family, based upon availability, if loss of assistance would cause extreme hardship.

Owner Notice to Move (Eviction)

In order to terminate a tenancy, the owner must give the tenant a 30-day written notice and the notice must contain the reason(s) for the termination. The owner must complete a Forcible Detainer form and get an Eviction Notice from the District Court Clerk. Copies of the written notice, Forcible Detainer and Eviction Notice must be provided to the HCV office and the owner must report the court decision to the PHA after the court hearing. Eviction without following the above procedure will be considered a violation of the HAP Contract. Court ordered eviction will be grounds for termination, if the reason(s) for eviction would also violate any of the program rules or the owner's lease. Assistance will also be terminated when a family leaves the unit while an eviction process is taking place, but before a court decision is made, or leaves the unit in order to avoid court eviction. HAP will continue to be paid until the court ordered date to vacate or the tenant vacates the unit, whichever comes first.

Family Misrepresentation

If a family has committed fraud or misrepresented information in connection with the HCV Housing Program, the PHA may terminate assistance and/or, if the fraud or misrepresentation involves an overpayment of rental assistance, the rule for repayment as outlined in Section XVII, Paragraph A will be followed.

Owner Misrepresentation

If the landlord has committed fraud or misrepresentation in connection with the HCV Program, the PHA will review the circumstances and may require the owner to repay any due monies or overpayment and continue to honor the contract or may decide to terminate assistance and cancel the contract. The PHA will make every effort to recover monies due from the owner/landlord resulting from misrepresentation or fraud. The family's involvement will be examined to determine if the family is eligible for choice to relocate to another unit with continuation of assistance. If the owner commits fraud or fails to repay any overpayment of HAP, the PHA may bar the owner from future

participation in the program. The PHA, depending on the seriousness of the offense, will determine the period of time. It is the responsibility of the owner to notify the PHA of any absence from the unit as soon as he/she is aware of it. If it is determined that the family has moved from the unit without notice, the landlord may be required to repay the PHA for any HAP paid during a month in which the tenant did not live in the unit.

Change in Ownership

The PHA will process a Transfer of Ownership upon the request of the new owner and only in accordance with PVA records or a copy of the recorded deed. An owner can be paid through a management company with the agreement of the owner. The new owner or management company must complete a vendor form if not already an approved vendor and must provide documentation of the owner's TIN or social security card. HAP payments will be on hold or made payable to the owner of record in the PVA or through a management company. HAP will be sent to the new owner or management company beginning with the next regular HAP Payment cycle.

Owner Fails to Correct HQS Items

Should the PHA find it necessary to terminate a HAP contract due to the owner's failure to correct HQS fail items and the HCV family has to move as a result of this non-compliance, the PHA may decline to approve the owner for new HCV contracts for a minimum of one (1) year and upon written assurance from the owner that he/she will fulfill the requirement of the HQS in the future. In making this decision, the history of the owner in HQS compliance will be considered.

T. DENIAL OR TERMINATION OF ASSISTANCE

Grounds for Denial of Admission

Grounds for denial of admission may include but are not limited to the following:

1. Unpaid debt to this or other PHA
2. Release from incarceration or conviction on drug-related or violent criminal charges within 3 years prior to admission (VAWA applies—see Section D—Victims of Domestic Violence)
3. Head of Household under 18 years of age
4. No household member who is a legal resident of U. S.
5. Failure to submit requested or required documents within prescribed time (social security number disclosure, evidence of citizenship or eligible status, etc.)
6. Prior fraud in HUD program
7. If any family member has a conviction of drug-related criminal activity for the manufacture or production of methamphetamine on the premises of federally assisted housing (this denial is immediate and permanent)
8. If any family member is subject to a current or lifetime registration requirement under a state sex offender registration
9. Threatening or abusive behavior toward PHA staff
Voucher expiration
10. Eviction from Public Housing, Indian Housing, or HCV Housing programs because of drug related or violent criminal activity, within 3 years prior to admission.

Grounds for Termination of Assistance

Grounds for termination from the program may include but are not limited to the following:

Eligible to reapply 3 years from date of termination:

1. Court eviction, if the reason(s) for eviction would also violate any of the program rules or the owner's lease, or family moved out from the assisted unit to avoid court eviction.

2. Unreported, late reported, or under-reported incomes that resulted in more than 3 (4 or more) repayment agreements during the most recent 36 month period (debt must be paid in full)
3. Failure to maintain HQS/IPMC standards, excluding tenant-supplied utilities
4. Threatening or abusive behavior toward PHA staff
5. Evidence of drug related criminal activity or violent criminal activity by a member of the assisted household, guest, or person in the unit with express or implied permission of the assisted household taking place on the premises of the assisted unit.
6. Alcohol abuse which interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents by a member of the assisted household, guest, or person in the unit with express or implied permission of the assisted household.
7. Conviction of any drug related or violent criminal activity by any members of the household - If there has been an arrest but no conviction in the case of drug-related (other than under #5 above) or violent criminal activity, termination may be delayed until the PHA is able to determine if there will be a conviction. However, if credible or a “preponderance of the evidence” is found to exist, that a family member has engaged in drug-related or violent criminal activity, the PHA may terminate assistance based on those facts.
8. Unauthorized person in household
9. If a family member is convicted of drug-related criminal activity for manufacture or production of methamphetamine – Not eligible to reapply

Eligible to reapply immediately (no waiting period):

1. Violation of any Family Obligation
2. Moving w/o proper notice
3. Unapproved move during first year of lease
4. Unreported income/Default on Repayment Agreement (eligible to reapply once debt is paid in full or 10 years from date of termination)

5. Moving voucher expiration
6. Tenant request
7. Failure to recertify/failure to keep appointment

Explanation of Drug Related/Violent Criminal Activity

1. Drug Related Criminal Activity means:
 - a. The manufacture, sale or distribution, the possession with intent to manufacture, sell or distribute, or use or possession of a controlled substance (as defined in the Controlled Substance Act);
 - b. For use or possession (other than with intent to manufacture, sell or distribute), if the family member demonstrates that:
 - 1) He/she has an addiction to a controlled substance; and,
 - 2) Is recovering or has recovered from such addiction; and,
 - 3) Does not currently use or possess a controlled substance; and,
 - 4) Has successfully completed a supervised treatment program; and,
 - 5) At least 12 months have lapsed since completion of the program; then; the family shall not be denied admission to the program based solely on the criminal charges of possession or use.
2. Violent Criminal Activity means:
 - b. Any criminal activity that has one of its elements the use, or threatened use, of physical force against the person or property of another. HC or ED shall review the police report and a determination made regarding the element(s) of violence.
 - c. Denial of admission or termination shall result if any of the following elements are present in the crime as reported in the police report narrative:
 - 1) Presence of a weapon.
 - 2) Physical contact via kicking, hitting, biting, etc.
 - 3) Shoving, in the absence of other physical contact, shall not be considered grounds for denial or termination.
 - 4) Verbal assault, in the absence of any physical contact, shall not be considered grounds for denial or termination of assistance.
 - 5) Actions, which are deemed to be in self-defense where the other party instigated the incident, shall not be considered grounds for denial or termination of assistance.
 - 6) Any activity which results in substantial property damage (\$1,000+)

Verification Procedure for Drug/Violent Criminal Activity or Alcohol Abuse

3. Drug Related/Violent Criminal Activity

Verification that an applicant has not been involved in any drug-related or violent criminal activity will be accomplished by searching nationwide criminal records, local police records, or any other publicly available source for any family member age 18 or older. Monitoring arrest records daily and requesting copies of police reports and/or court documents will accomplish verification of drug-related or violent criminal activity on the part of an active tenant.

4. Alcohol Abuse

Verification that an applicant is not a chronic alcohol abuser will be accomplished by searching nationwide criminal records, local police records, or any other publicly available source for any family member age 18 or older. Records of three (3) or more alcohol related incidents during the 6-month period within previous 36 months will be evidence of chronic alcohol abuse and grounds for denial of admission. Records of three (3) or more alcohol related incidents on the part of an active tenant, during the 6-month period within previous 36 months will be evidence of chronic alcohol abuse and grounds for termination.

U. COMPLAINTS AND APPEALS

Informal Review for Applicants

A “review” is for applicants and Voucher holders not yet under lease and contract and all families on the HCV waiting list.

Families will be notified of their right to an informal review in circumstances in which the PHA makes a decision affecting eligibility or refusal of assistance. The PHA will give the family prompt, written notice of the determination and will briefly describe the reasons for the decision, the procedures for requesting a review and the time frame for requesting it.

To make a request for an Informal Review, the applicant must submit a written request to the HCV office within seven (7) days of the date of the notification of ineligibility.

- 1) The review will be conducted by any person or persons designated by the PHA, other than a person who made or approved the decision under review
- 2) The applicant will be given an opportunity to present written or oral objections to the PHA decision.
- 3) The PHA will notify the applicant of the PHA final decision after the informal review, including a brief statement of the reasons for the final decision.

The PHA is not required to provide the applicant an opportunity for an informal review for any of the following:

- 1) Discretionary administrative determinations by the PHA.
- 2) General policy issues or class grievances.
- 3) A determination of the family unit size under the PHA subsidy standards.
- 4) A PHA determination not to approve an extension or suspension of a voucher term.
- 5) A PHA determination not to grant approval of the tenancy.
- 6) A PHA determination that a unit selected by the applicant is not in compliance with HQS.
- 7) A PHA determination that the unit is not in accordance with HQS because of the family size or composition.

Informal Hearing Procedure for Participants

1. Appeals by participants of the HCV Program shall be handled in accordance with HUD regulations governing such hearings. Participants are defined as those families who have an effective lease and are currently participating in the HCV program.

They must be notified of their right to an Informal Hearing in circumstances in which the PHA makes a decision that will affect their eligibility or assistance. The PHA will give the participant prompt written

notice of the determination that will describe the reasons for the decision, the procedures for requesting an Informal Hearing and the time frame for requesting one.

2. All requests for Informal Hearings must be made in writing within seven (7) days from the date of the notification (termination) letter. The Hearing Board shall consist of the NCS Director (Executive Director) or his designee and at least two citizens, appointed by the Director, other than a person who made or approved the decision under the hearing. The role of the Hearing Board shall be to review all evidence presented and to make a determination regarding the following:
 - a. Was proper procedure followed by the PHA;
 - b. Was there a violation(s) of HCV regulation as stated in the Family Obligations, HUD regulations, and/or the Administrative Plan; and,
 - c. Were extenuating circumstances could explain and/or excuse the violation(s) and allow for the reversal of the PHA's initial decision.

A notice of the findings of the Review or Hearing shall be provided in writing to the PHA with a copy to the applicant or participant and shall include a brief explanation of the reasons for the final decision. All requests for a Review or Hearing, supporting documentation, and a copy of the final decision will be retained in the family's file. For decisions pertaining to termination of assistance, the Hearing will be conducted prior to termination.

3. The PHA and applicant/participant shall be given the opportunity to present evidence and may question any witnesses. Evidence may be considered without regard to admissibility under the rules of evidence. At the applicant's or tenant's own expense, he/she may be represented by counsel or other representative.
4. The PHA is not bound by a Review or Hearing decision for the following:
 - a. A matter for which the PHA is not required to provide an opportunity for an Informal Hearing or Review, or otherwise in excess of the authority of the person conducting the procedures, or
 - b. A matter that is contrary to HUD regulations and requirements, or otherwise contrary to federal, state, or local law.
5. If the PHA determines that it is not bound by a decision, the PHA shall promptly notify the applicant/participant of the determination, and if the reasons for the determination.

Denial of Request for Review or Hearing

The PHA is not required to provide an Informal Hearing or Review in accordance with the following:

1. To review discretionary administrative determinations by the PHA, or to consider general policy issues or class grievances.
2. Establishment of the PHA schedule of utility allowances for families in the program.
3. To review the PHA's determination of the number of bedrooms entered on the voucher under the occupancy standards established by the PHA.
4. To review the PHA's decision not to approve a request by a voucher holder for an extension or suspension of the term of the voucher.
5. A determination by the PHA to exercise or not to exercise any right or remedy against the owner under a HAP contract
6. To review the PHA's determination that a unit located by a voucher holder does not comply with the PHA's Housing Quality Standards, that the owner has failed to maintain or operate a contract unit to provide decent, safe, and sanitary housing (including all services, maintenance, and utilities required under the lease) or that the contract unit is not in compliance because of an increase in family size or change in family composition, or the PHA's determination not to approve a unit or tenancy.
7. Court eviction for violation of the owner's lease, if the reason(s) for eviction would also violate any of the program rules.

V. MONITORING PROGRAM PERFORMANCE

Program performance is monitored via the following methods:

1. Monthly via Stats Report and Quality Control monitoring
2. Monthly via submission of VMS data
3. Annually via the Section 8 Management Assessment Program (SEMAP)
Annually via submission of Financial Assessment—Public Housing (FASS-PH) data
4. Annually via an independent audit.
5. Periodically via an internal audit.

Additionally, the PHA will submit to HUD a Five (5) Year Plan and annual plans thereafter, no later than April 15th of each year. Specific problems in program administration are addressed on a case-by-case basis and specific issues are addressed at weekly staff meetings. If the PHA receives any report of fraud, waste, and mismanagement, staff addresses these reports by following up on the report, using available resources and means, providing documentation to the tenant's file and taking appropriate actions.

W. MISCELLANEOUS

Maintenance

The PHA has the authority to make interim changes without Board of Commission approval as long as the changes are clarifying existing policies or the changes are necessary to meet new or existing guidelines and regulations established by HUD. Plan changes that do not meet the above criteria cannot be made without approval of the Board of Commissioners.

HUD Special Rule

If the PHA receives additional funding from HUD for a special purpose (e.g. desegregation, special families, or special category of families) the rules and regulations of that specific program are hereby adopted and made part of this plan for the duration of the funding.

Threshold on Operating Reserves

The PHA must receive Board of Commission approval in order to spend any Operating Reserves on expenses other than Administration.

X. ANCILLARY PROGRAMS

Family Self Sufficiency Program

Effective 4/30/08, this section is no longer applicable.

Participation in the Family Self Sufficiency program (FSS) will be offered to all HCV tenants. Participation in the program is voluntary and does not affect eligibility for admission or continuation of assistance. Any family chosen to participate in FSS must be in good standing with the HCV program and remain so during their FSS participation. Initial program size is forty-two (42) slots, with an additional fifty (50) slots added in December 1998. After October 21, 1998, the program size is reduced by one for each successful completion of the program. See Appendix I.

Housing Choice Voucher Homeownership Program

Effective 4/30/08, this section is no longer applicable.

The PHA will operate a Homeownership Program, utilizing HCV Rental Assistance to subsidize a mortgage for qualified owner-occupants. See Appendix I.

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Z. APPENDICES

Appendix I	Housing Choice Voucher Homeownership
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Appendix I

Housing and Community Development Housing Choice Voucher Homeownership Program

Administrative Plan

Purpose

The purpose of the Homeownership Program is to utilize Housing Choice Voucher Rental Assistance (HCV) Program funds to subsidize mortgage payments on units occupied by the qualified owner-family. Historically, Housing Choice Voucher ~~Section 8~~ funds have been restricted to use as rental assistance. It is hoped that, by broadening the use of these funds to include mortgage subsidy, more very low-income families can become homeowners and begin to build assets for their future as productive, self-sufficient citizens.

Availability

Twenty-five slots will be made available per fiscal year on a first-come, first-served basis to qualified HCV Program participants/voucher holders who want to participate in the Homeownership Program. In the event there are more qualified applicants than available slots, a waiting list will be maintained. The PHA reserves the right to increase the initial number of slots if it is judged to be in the best interest of the program and of the community.

Eligibility

- A. Current Housing Choice Voucher Participants. A HCV Program participant may participate in the Homeownership Program if the PHA determines that all basic eligibility criteria outlined in D below have been met. Additionally, families participating in the Family Self Sufficiency (FSS) Program must be in good standing. If all criteria have been met, the family is eligible for participation in the Homeownership Program. If these families fail to complete the Homeownership process, they may be eligible to continue participation in the HCV Program.
- B. Current Applicant on Housing Choice Voucher Waiting List. An applicant family that reaches the top of the waiting list may apply for direct participation in the Homeownership Program prior to leasing if they meet the basic eligibility criteria identified in D below. If the family fails to meet the basic eligibility criteria, the family will be referred for participation in FSS once leased under the HCV program. When all basic criteria are met, the family may apply for participation in the Homeownership Program at the end of the initial lease term. If these families fail to complete the Homeownership process, they may be eligible to continue to lease through HCV as long as they remain in program compliance.
- C. Referral from HUD approved Homebuyers Programs. Families who are neither current participant in the HCV Program nor on the Waiting List may be referred by a HUD approved Homebuyers Program. These families will be placed on the Waiting List with a preference and must meet all of the basic eligibility criteria identified in D below at the time they are notified for eligibility intake. Additionally,

these preference applicants must have completed Pre-Purchase Counseling through the referring agency or other approved source and be “homeownership ready”. Documentation to verify completion of the Pre-Purchase Counseling by a HUD approved Homebuyer Program must be provided by the family. Applicants who are referred and fail to meet these requirements at the time they are notified for eligibility intake will be placed back on the waiting list without a preference. If these families fail to complete the Homeownership process, they are not eligible for admission to the HCV Program. (Ten of the Homeownership Vouchers will be designated for the “Live The Dream” program as described in the Memorandum of Understanding signed September 2002).

- D. In order to be approved for participation in the Homeownership Program, the family must meet the criteria as described below:
1. The family must meet a minimum gross annual income standard equal to 2,000 hours at the current Federal minimum wage. Income from all adult household members will be counted toward this minimum and cannot include income from TANF and other incomes defined as Welfare Assistance, except in the case of an Elderly and/or Disabled families or a family requiring Homeownership Assistance as a reasonable accommodation. In the case of Elderly and/or Disabled families, the minimum income shall be equal to the monthly Federal Supplemental Security Income (SSI) for an individual living alone or paying his or her share of food and housing costs multiplied by twelve months. (See Special Exemptions).
 2. At least one adult household member must be employed full time (full time is defined as at least 30 hours per week). In order to account for possible breaks in employment, the family is considered to meet this requirement if the working family member worked at least 1200 hours in the twelve months prior to application for homeownership. (This standard does not apply to Elderly and/or Disabled families or to families requiring Homeownership Assistance as a reasonable accommodation. See Special Exemptions.)
 3. The family must meet the definition of a First Time Homeowner.
 4. The family must not have defaulted on any previous HUD subsidized mortgage.
 5. At least one adult household member must agree to attend and successfully complete the Pre-Assistance Counseling Program. The components equivalent to the “Yes, You Can Own Your Own Home” counseling program must be completed prior to execution of the Intent to Purchase. Other components may be delayed at the discretion of the PHA, but all components must be successfully completed prior to execution of the Homeownership Agreement.
 6. The family must occupy the subsidized unit as its primary residence and agree not to sublet or rent the unit to any person or persons not authorized by the PHA.
 7. The family must have no outstanding debt to any PHA.
 8. The family must invest a minimum of \$500.00 or 2 months of PITI whichever is greater from their own funds toward the purchase of the home. In the case of an FSS family, available escrow funds

may be used to help meet this investment. Investment can be the sum of fees paid for home inspector, pre-pays at closing, downpayment, credit report fee, application fee, etc.

9. Family Self Sufficiency participants will agree to one of the following:
 - i. Utilize 100% of available escrow funds at the time of closing toward downpayment; or,
 - ii. Agree to cease participation in HCV program six months from the date of the first mortgage assistance payment to the lender on behalf of the family.
10. The family will be subject to and must agree to abide by all federal regulations and local policy pertaining to the HCV Program, including the Housing Choice Voucher Program Family Obligations. The family must sign the City of Bowling Green Housing Division Agency's Homeownership Agreement (Homeowner Obligations form) prior to loan closing.
11. The family may not use the HCV assisted home as collateral for any other loan and may not refinance without prior PHA approval.
12. Family Self-Sufficiency Participation: Family Self-Sufficiency participants will meet one of the following criteria:
 - i. Meet all goals and graduate from FSS within six months after the first mortgage assistance payment is made to the lender on behalf of the family; or,
 - ii. Agree to continue in FSS until all goals are met, receiving supportive services only. FSS escrow deposit will cease six months after the first mortgage assistance payment is made to the lender on behalf of the family.

Special Exemptions

The PHA will grant exemption from the following eligibility criteria to (1) any family whose head or spouse is Elderly or Disabled or (2) any family, other than an Elderly/Disabled family, which includes a disabled person if the PHA determines that an exemption is needed as a reasonable accommodation so that the program is readily accessible to and usable by persons with disabilities:

Minimum income requirement for elderly/disable person is the monthly Federal Supplemental Security Income (SSI) benefit for an individual living alone (or paying his or her share of food and housing costs) multiplied by twelve. These families must still be qualified by a lender of their choice.

Exclusion of TANF from Minimum Gross Income. TANF of exempt families will be counted toward the minimum gross income requirement.

Work Requirement. Exempt families do not have to meet the work requirement standard.

Self-Sufficiency Program. Exempt families may opt not to participate in the Family Self-Sufficiency Program, but are encouraged to do so.

Selection

Eligible participants will be chosen on a first come, first served basis and an Intent to Purchase will be executed, giving the family 90 days to complete the homeownership process, including loan closing. If the family fails to close the loan within 90 days of execution of the Intent to Purchase, the document will be null and void and the slot will be given to the next eligible applicant. If the family fails to meet the 90 day deadline due to circumstances beyond the family's control, the family may apply for a Hardship Extension, not to exceed an additional 30 days. The loan must close prior to the expiration of the Hardship Extension.

If at any time during the term of the Intent to Purchase the family decides not to continue to pursue homeownership or is determined not to be eligible, the family may be eligible to continue in the Housing Choice Voucher rental program. (See Eligibility Criteria page 1) If eligible, the family may remain in the current rental unit or may request a moving voucher to move to a new rental unit. A family may apply for the Homeownership Program only once in a twelve-month period.

Family Responsibilities

The family will be responsible for the following:

1. Selection of the unit. The family may select any home which is located within the corporate city limits of Bowling Green. The home must pass the Housing Quality Standards/IPMC inspection and an inspection by a Certified Independent Home Inspector. "Special Housing Types" will not be approved by the PHA, including the following:
 - A. Single Room Occupancy (SRO);
 - B. Congregate Housing;
 - C. Shared Housing;
 - D. Manufactured Housing;
 - E. Cooperative Housing.
2. Financing. The family is responsible to secure financing. Financing must be provided, insured, or guaranteed by the state or Federal government, comply with secondary mortgage market underwriting requirements, or comply with generally accepted private sector underwriting standards. Documentation to verify this compliance must be provided to the PHA by the family. The following types of financing will not be approved by the PHA:
 - A. Negative amortization loans;
 - B. Loans which include any type of lump sum balloon payment;
 - C. Owner/Seller financing (Land Sales Contracts);
 - D. Construction loans.
3. Down Payment, Closing Costs, Incidental Expenses. The family will be responsible for meeting all down payment and closing cost requirements of the lender. The family will also be responsible for any and all incidental expenses, including the cost of hiring the Independent Home Inspector. The family's Monthly Homeownership Expense may not exceed 40% of monthly adjusted income and includes:

- a) principal and interest payment paid by family
 - b) annual real property taxes divided into 12 equal payments
 - c) annual insurance premium divided into 12 equal payments
 - d) utility allowance as determined by the PHA
 - e) maintenance expenses equal to 1% of the purchase price, divided into 12 equal payments. The family may opt to establish a savings account equal to 1% of the purchase price at the time of closing. If the family chooses this option, maintenance expenses will not be included in Monthly Homeownership Expenses.
- 4. Pre-Assistance Counseling. At least one adult household member must attend and successfully complete the Pre-Assistance Counseling Program prior to execution of the Intent to Purchase. At the discretion of the PHA, certain components of the Program may be delayed but all components must be completed prior to execution of the Homeownership Agreement.
- 5. Post-Assistance Counseling. At least one adult household member must complete post-homeownership counseling annually in conjunction with annual recertification which will include a review of household budget and debt. Within the first 12 months of homeownership, at least one adult household member must attend a post-homeownership education program provided by a HUD approved Housing Counseling Agency. A family identified as having problems (i.e., have late or missed payments, received delinquent and/or foreclosure letters, etc.) will be required to repeat the post-homeownership education program provided by a HUD approved Housing Counseling Agency
- 6. Maintenance of the unit. The family will be responsible to maintain the unit in code-compliant condition during the term of the Homeownership Agreement.
- 7. Timely payments and non-default. The family will be responsible to make their portion of the monthly mortgage payment on time each month and to not default on the mortgage. If the family defaults on the mortgage, they will receive no special admission to the Housing Choice Voucher Program and will have to reapply for admission to the rental assistance program in order to receive rental assistance. If the family defaults on the mortgage, they will forfeit forever their right to participate in a HUD subsidized Homeownership Program. The family must notify the PHA immediately if they default on the mortgage securing any debt incurred to purchase the home.
- 8. The Family must execute Intent to Purchase in order to begin the process for participation in the Homeownership Program and must execute a Homeownership Agreement after loan approval and prior to loan closing. If at any time prior to execution of the Homeownership Agreement the family no longer meets the Eligibility Criteria, the PHA may revoke the right of the family to proceed with the homeownership process. The Homeownership Agreement must be executed prior to the first subsidy payment and will serve as the “lock in” mechanism after which the PHA may not revoke the right of the applicant to go forward with homeownership.
- 9. The family must provide copies of the following documents to the PHA:

- A. Contract of Sale which must include a Seller Certification that the seller is not debarred, suspended or subject to limited denial of participation under 24 CFR part 24;
 - B. Independent Home Inspection;
 - C. Underwriting compliance verification;
 - D. Good Faith Estimate;
 - E. Deed.
10. Independent Home Inspection. The family must provide the PHA with a copy of an inspection completed by a Certified Independent Home Inspector, chosen and paid for by the applicant. The Home Inspector must provide a copy of the inspection to the family and to the PHA.
 11. If a Family Self Sufficiency participant, the family must meet one of the following:
 - i. meet all goals and graduate from FSS within six months after the first mortgage assistance payment is made to the lender on behalf of the family; or,
 - ii. agree to continue in FSS until all goals are met, receiving supportive services only. FSS escrow deposits will cease six months after the first mortgage assistance payment is made to the lender on behalf of the family.
 12. The family must have fulfilled any current lease obligations unless the landlord agrees to void the lease agreement.
 13. The employed household member must maintain full time employment as stipulated in D(2) while receiving mortgage assistance. Compliance with this requirement will be verified via quarterly monitoring of wages.
 14. No family member may have any present ownership interest in a second residence while receiving homeownership assistance.

PHA responsibilities

The PHA will be responsible for the following:

Outreach: Current participants in the Housing Choice Voucher Program and the general public will be notified of the availability of the Homeownership Program by publication of a brochure. Applicants on the Waiting List will be told about the Homeownership Program during briefing as the family receives its Housing Choice Voucher. The PHA will promote the homeownership program through local media sources (i.e. local newspaper articles, interviews on local television station and local radio stations, various public relations activities, and by participating in housing fairs and other homeownership related community events.)

Calculation of subsidy amount: The PHA will calculate the amount of subsidy, based on the following criteria:

- a. Size and composition of family
- b. Suitability for long term occupancy
- c. Resale viability
- d. Availability of suitable housing
- e. Voucher funding availability

Once the family executes an Intent to Purchase and identifies a lender, a document will be provided to the lending institution as evidence of the PHA's intended participation.

Payment of monthly mortgage subsidy: The PHA will pay the subsidy portion of the mortgage directly to the mortgage holder on the first day of each month for a maximum of 180 months for a mortgage at least 20 years in duration and a maximum of 120 months for all others or until one of the following conditions exists:

- A. the family no longer participates in the HCV Program (voluntary withdrawal from the program by the family or termination from the program by the PHA);
 - B. the family moves from the jurisdiction (portability);
 - C. the family sells the unit;
 - D. the family defaults on the loan;
 - E. 180 days has passed since the last Housing Assistance Payment on behalf of the family.
4. No limit for Exempt Families: If the head or spouse is elderly or disabled or the family requires Homeownership Assistance as a reasonable accommodation, there is no time limit on the subsidy. If, during the course of homeownership assistance, the family ceases to qualify as an exempt family, the maximum term becomes applicable, retroactive to the date homeownership assistance commenced. In this case, the family will be provided six months of homeownership assistance after the maximum term becomes applicable (provided the family is otherwise eligible to receive HCV homeownership assistance).
5. Annual Recertification: The PHA will recertify the family annually, including a review of family composition and income. In the interim between annual recertifications, the family will be subject to the same reporting rules as participants in the HCV Rental Assistance Program. No annual inspection of the unit will be conducted.
6. Initial Inspection: The PHA will conduct an initial inspection prior to execution of the Homeownership Agreement, in addition to the Independent Home Inspection. The family should request this inspection prior to submitting a contract to purchase the property or should make the offer contingent upon the unit passing the inspection.

Portability

Any family exercising Portability is subject to the "established residency" rule. A family who is a current participant in a Homeownership Program in another jurisdiction and is eligible to port into this jurisdiction will be absorbed into this PHA's Homeownership Program. The family will be responsible for all the Family Responsibilities listed above, but will not be subject to availability.

A family who is participating in the Homeownership Program in this jurisdiction and wishes to exercise portability to move to another jurisdiction will be subject to all regular portability rules under the Housing Choice Voucher Program. The family must submit the required documents to the PHA and must also absolve itself of any ownership interest in the current subsidized home by selling the property on the private market prior to moving. Participation in a Homeownership Program in the receiving jurisdiction is subject to

availability and at the discretion of the receiving PHA.

Repeat Participation in the Homeownership Program

Families who have previously participated in the Homeownership Program and did not default on the loan and are currently participating in the Housing Choice Voucher Rental Assistance Program will be allowed to reapply for participation in the Homeownership Program after a one-year waiting period by following the program guidelines for admission.

Families currently participating in the Homeownership Program who wish to sell their current home and repurchase another home through the Homeownership Program will be allowed to do so, subject to approval by the HCV office. The family will be responsible to sell the currently assisted home and all ownership interest must be absolved prior to commencement of Housing Assistance Payments on the second unit. Unless exempt, the family must meet all income and employment requirements.

Homeownership Assistance as a Reasonable Accommodation

A family containing a family member with disabilities who requires homeownership assistance as a reasonable accommodation is eligible for the homeownership option, regardless of whether the family is a first-time homebuyer. Eligible families will be exempt from the Income Standard and Employment Requirement Standard and may opt out of Family Self- Sufficiency.

Definitions

HUD-- U. S. Department of Housing and Urban Development.

PHA--Public Housing Agency. In the corporate city limits of Bowling Green, Department of Neighborhood and Community Services-Housing Division.

Intent to Purchase--An agreement executed between the PHA and the HCV ~~Section 8~~ tenant/applicant at the time that they decide to participate in the Homeownership Program. The agreement will be valid for a period of 90 days. Hardship extensions for up to 30 days may be granted, at the discretion of the PHA, if requested by the family in writing.

Homeownership Agreement (Homeowner Obligations)--An agreement executed between the participant and the PHA after loan approval and prior to loan closing which “locks in” the commitment of the PHA to make subsidy payments on behalf of the homeowner. The Homeownership Agreement delineates the responsibilities of both parties during the period of participation in Homeownership Program.

Portability--The right of a HCV participant to move into another jurisdiction without having to apply to the jurisdictions’ waiting list. In order to be eligible for portability, an applicant must have (1) lived in the issuing jurisdiction for at least 12 months or (2) had an established residency in the issuing jurisdiction at the time of application for assistance. Current participants in the Homeownership Program who wish to exercise portability must absolve themselves of their current ownership interest through a bona fide sale on the private market.

First Time Homeowner—A family which does not include any person who owned a “present ownership interest” in any residence during the three years prior to participation in the Home- ownership Program. A single parent or displaced homemaker who, while married, owned a home with a spouse (or resided in a home owned by a spouse) is considered a first time homeowner for the purposes of the HCV Homeownership Program.

Pre-Assistance Counseling Program—A program covering topics such as: (1) home maintenance; (2) budgeting and money management; (3) credit counseling; (4) how to negotiate the purchase price of a home; (5) how to get homeownership financing; (6) types of approved financing; (7) Fair Housing; (8) Real Estate Settlement Procedures and truth in lending laws; and (9) how to find a home. Components of this program will be offered by the PHA or other designated entity and must be completed successfully prior to execution of an Intent to Purchase. At the discretion of the PHA, certain components may be delayed, but must be completed prior to execution of the Homeownership Agreement. Components equivalent to the “Yes, You Can Own Your Own Home” must be completed prior to execution of an Intent to Purchase and all components must be completed prior to execution of the Homeownership Agreement.

Post-Assistance Counseling Program- At least but not limited to, annual recertification interview with Homeownership Counselor consisting of verifying continued eligibility for mortgage assistance, reviewing household budget, reviewing household bills and proof of timely payments, a current credit report (if deemed necessary), review of home maintenance needed and how to finance it, address any concerns, review bank statements and completion of a post-homeownership educational program provided by a HUD approved Housing Counseling Agency that includes but not limited to foreclosure prevention, maintenance, predatory lending, budgeting and saving, etc.

Homeownership Expense—A family’s allowable monthly expenses for the home, including the following:

- Principal and interest on initial mortgage debt and any mortgage insurance premium (PMI) incurred to finance purchase of the home and any refinancing of such debt;
- Real estate taxes and public assessments on the home;
- Home insurance;
- Monthly allowance for utilities as determined by the PHA Utility Allowance Schedule;
- Monthly Maintenance Expenses equal to 1% of the purchase price divided into twelve equal amounts. If the family establishes a savings account equal to 1% of the purchase price at the time of closing, Monthly Maintenance Expenses will not be included in allowable monthly expenses.

Homeownership Ready - applicant has completed all the eligibility criteria for the Homeownership Voucher Program and is ready to make loan application with a lender.

Monthly Mortgage Subsidy—calculated as the lesser of (1) the applicable Payment Standard minus the family’s TTP or (2) the family’s monthly Homeownership Expense minus the family’s TTP. This amount will be paid monthly, on the first day of each month, directly to the mortgage holder as long as the family participates in the Homeownership Program, for a maximum of 180 months as described on page 6, #6.

Total Tenant Payment (TTP)—30% of the family’s adjusted monthly gross income.

Hardship Extension—If a family fails to complete the homeownership process within the 90 day term of the Intent to Purchase, the family may apply for a Hardship Extension by submitting a written request to the PHA office at least 7 days prior to the expiration date of the Intent to Purchase. Extensions of up to 30 days may be granted for temporary delays caused by circumstances beyond the control of the family.

Independent Home Inspection—The home chosen by the family must be inspected by an Independent Certified Home Inspector in addition to the standard HCV inspection. The family may choose the independent inspector and will be responsible for the cost of the inspection.

Elderly and/or Disabled—A family whose head or spouse is age 62 or older or is disabled according to the standard established by HCV policy.

Welfare Assistance—includes welfare or other payments to families or individuals, based on need, that are made under programs funded, separately or jointly, by Federal, State or local governments. These amounts are to be excluded from the calculation of gross income of an exempt family when determining eligibility under the Minimum Gross Income criteria.

Exempt Family—Any family whose head or spouse is elderly (62 or older) or disabled; or any family, other than an Elderly/Disabled family, which includes a disabled person if the PHA determines that Homeownership Assistance is needed as a reasonable accommodation.

Net Family Assets—As described under the Housing Choice Voucher Administrative Plan *except* the value of the home currently assisted with homeownership assistance.

The exemption is for a period of ten years from the date of purchase.

Appendix II

☐ **Scholar House Preference.** By claiming this preference, I certify that I understand and agree to abide by the terms of the preference as outlined below.

A. Eligibility

1. Family agrees to live in the Scholar House facility, participate in the Scholar House Program, and remain in good standing with the rules of the facility and the program.
2. Qualifying Student (head or co head) is at least 18 years old.
3. Qualifying Student (head or co head) holds a high school diploma or G.E.D. and is a full time student enrolled as a degree/certificate seeking student in an accredited institution of higher education with at least one scholastic year remaining.
4. All adult student household members are Independent Students or otherwise income eligible. (print name of member and check all that apply)
 - a. _____ is ☐ 24 years of age or older, ☐ a veteran, ☐ married, or ☐ has at least one dependent child.
 - b. _____ is ☐ 24 years of age or older, ☐ a veteran, ☐ married, or ☐ has at least one dependent child.
 - c. _____ does not meet any of the above criteria. A two part income eligibility test applies; both parts of this test must be true in order for the individual to be eligible for admission to Section 8:
 - i. The student household must be individually income eligible as verified by all household income, and
 - ii. The parents of each student must be income eligible as verified by household income of the parents, jointly and/or individually.
5. Qualifying student (head or co head) is a parent with primary custody of at least one child under the age of 18.
6. Family meets all eligibility criteria for admission to the Voucher Program.

B. Term of Voucher

1. The Voucher issued pursuant to this preference will remain valid after the family successfully completes the Scholar House Program for as long as the family remains in good standing with the Voucher Program and income eligible.
2. The Voucher issued pursuant to this preference will become void and housing assistance payments will stop if any of the following occur:
 - a. The family fails to comply with the participation criteria of the Scholar House Program as outlined in the *Handbook for Participants*, or
 - b. The family is non-compliant with Voucher Program policies and/or HUD regulations.

Signature of Qualifying Student

Date

Signature of Co Head

Date doc#286350v1

EQUAL HOUSING OPPORTUNITY

TDD Number 1-800-648-3056 (for the hearing/speech impaired only)

EQUAL OPPORTUNITY EMPLOYER

Appendix III

Definitions

1937 Act:	the United States Housing Act of 1937.
Absorption:	in voucher portability, the point at which a receiving PHA stops billing the initial PHA for assistance on behalf of a portability family. The receiving PHA uses funds available under the receiving PHA's Consolidated Annual Contributions Contract (ACC). (24 CFR 982.4)
Accessible units:	units that meet the requirement of accessibility with respect to dwellings. (24 CFR 945.105)
Accessible:	when used with respect to the design, construction, or alteration of a facility, or a portion of a facility other than an individual dwelling unit, so that the facility or portion of the facility can be approached, entered, and used by individuals with physical handicaps. The phrase "accessible to and usable by" is synonymous with accessible. (24 CFR 8.3)
Act:	the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) (24 CFR 5.100) Also see 1937 Act.
ADA:	the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) (24 CFR 5.100)
Adjusted income:	annual income (as determined by the responsible entity) of the members of the family residing or intending to reside in the dwelling unit, after making the applicable deductions. (24 CFR 5.611)
Administrative fee:	Fee paid by HUD to the PHA for administration of the program. (24 CFR 982.4)
Administrative plan:	the plan that describes PHA policies for administration of the tenant-based programs. (24 CFR 982.4)
Admission:	the point when the family becomes a participant in a program. In a tenant-based program, the date used for this purpose is the effective date of the first HAP contract for a family (first day of initial lease term). (24 CFR 982.4)
Annual contributions contract (ACC):	the written contract between HUD and a PHA, under which HUD agrees to provide funding for a program under the 1937 Act, and the PHA agrees to comply with HUD requirements for the program. (24 CFR 5.403) Also see 1937 Act.
Annual income:	all amounts, monetary or not, which: (1) go to, or are on behalf of, the family head or spouse (even if temporarily absent) or any other family member; or (2) are anticipated to be received from a source outside the family during the 12-month period following

admission or annual reexamination effective date; and (3) are derived (during the 12-month period) from assets to which any member of the family has access; (4) are not specifically excluded. (24 CFR 5.609)

Wages: (1) wages received during most recent 12 months as verified by the computerized wage history; or
(2) wages received during the most recent 60 days as verified by the most recent 60 days of check stubs; or
(3) current wages as verified by a completed wage form. Intermittent or sporadic wages are calculated as total wages received over the past 12 months.

Self Employment: (1) IRS 1040 less expenses; or (2) wage forms from customers; or (3) self certification from tenant.

Child Support: Average child support received during most recent 12 months as verified by Child Support Worker.

K-Tap/ Kinship Care: Current award as verified by a completed K-Tap form.

Financial Aid: Total expected to be received during next 12 months as verified by a completed Financial Aid form.

SS/SSI/SSD: EIV unless disputed by tenant.

Veterans Benefits

Pensions: Award letter dated within 60 days or other documentation from source.

Unemployment

Benefits: EIV unless disputed by tenant.

Miscellaneous

Support: Completed Support Form from source.

Applicant: a person or a family that has applied for housing assistance. (24 CFR 5.403)

Assisted lease

(or lease): a written agreement between an Owner and a Family for the leasing of a unit by the Owner to the Family, with housing assistance payments under a Housing Assistance Payments Contract between the Owner and the PHA. (24 CFR 882.102)

Child care expenses: amounts anticipated to be paid by the family for the care of children under 13 years of age, during the period for which annual income is computed, but only where such care is necessary to enable a family member to actively seek employment, be gainfully

employed, or to further his or her education and only to the extent that 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)

Child: a member of the family other than the family head or spouse who is under 18 years of age.

Citizen: a citizen or national of the United States. (24 CFR 5.504)

Community service: the performance of voluntary work or duties that are a public benefit, and that serve to improve the quality of life, enhance resident self-sufficiency, or increase resident self responsibility in the community. Community service is not employment and may not include political activities. (24 CFR 960.601)

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 State Wage Information Collection Agencies (SWICAs), return information from the Social Security Administration (including wages, net earnings from self-employment, and payments of retirement income), and return information for unearned income from the Internal Revenue Service. Consent forms expire after a certain time and may authorize the collection of other information from assistance applicants or participants to determine eligibility or level of benefits. (24 CFR 5.100)

Continuously assisted: an applicant is continuously assisted under the 1937 Act if the family is already receiving assistance under any 1937 Act program when the family is admitted to a certificate or voucher program. (24 CFR 982.4) Also see 1937 Act.

Contract of participation: a contract in a form approved by HUD, entered into between a participating family and a PHA operating an FSS program, that sets forth the terms and conditions governing participation in the FSS program. The contract of participation includes all individual training and services plans entered into between the PHA and all members of the family who will participate in the FSS program, and which plans are attached to the contract of participation as exhibits. (24 CFR 984.103)

Cooperative (includes mutual housing): housing owned by a nonprofit corporation or association, and where a member of the corporation or association has the right to reside in a particular apartment, and to participate in management of the housing. (24 CFR 982.4)

Covered families**(for welfare**

benefit reduction): families who receive welfare assistance or other public assistance benefits (welfare benefits) from a State or other public agency (welfare agency) under a program for which Federal, State, or local law requires that a member of the family must participate in an economic self-sufficiency program as a condition for such assistance. (24 CFR 5.615)

Dating Violence: includes violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on a consideration of the following factors:

- Length of the relationship (at least three months);
- Type of relationship (romantic/intimate);
- Frequency of interaction between the persons involved in the relationship (personal interaction at least once a week).

Department: the Department of Housing and Urban Development (HUD). (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)

**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)

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

Disallowance: exclusion from annual income. (24 CFR 960.255)

Domestic Violence: includes felony or misdemeanor crimes of violence committed by

- a current or former spouse of the victim,
- a person with whom the victim shares a child in common,
- a person who is cohabitating with or has cohabitated with the victim as a spouse, or a person similarly situated to a spouse or the victim under the domestic or family violence laws of the Commonwealth of Kentucky, 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 Commonwealth of Kentucky.

Earned income:	income or earnings included in annual income from wages, tips, salaries, other employee compensation, and self-employment. Earned income does not include any pension or annuity, transfer payments, any cash or in-kind benefits, or funds deposited in or accrued interest on the FSS escrow account established by a PHA on behalf of a participating family. (24 CFR 984.103)
Economic self-sufficiency program:	any program designed to encourage, assist, train, or facilitate the economic independence of HUD-assisted families or to provide work for such families. These programs include programs for job training, employment counseling, work placement, basic skills training, education, English proficiency, workfare, financial or household management, apprenticeship, and any program necessary to ready a participant for work (including a substance abuse or mental health treatment program), or other work activities. (24 CFR 5.603)
Effective date of FSS contract of participation:	the first day of the month following the month in which the FSS family and the PHA entered into the contract of participation. (24 CFR 984.103)
EHPA:	the Earned Home Payments Account. (24 CFR 982.401)
Elderly family:	a family whose head, spouse, co-head or sole member is a person who is at least 62 years of age. (24 CFR 5. 403)
Elderly Person:	an individual who is at least 62 years of age. (24 CFR 5.100)
Elevated blood lead level (EBL):	excessive absorption of lead. Excessive absorption is a confirmed concentration of lead in whole blood of 20 ug/dl (micrograms of lead per deciliter) for a single test or of 15-19 ug/dl in two consecutive tests 3-4 months apart. (24 CFR 982.401)
Evidence of citizenship or eligible status:	the documents, which must be submitted to evidence citizenship or eligible immigration status. (24 CFR 5.504)
Extremely low income family:	A family whose annual income does not exceed 30 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families, except that HUD may establish income ceilings higher or lower than 30 percent of the median income for the area if HUD finds that such variations are necessary because of unusually high or low family incomes. (24 CFR 5.603)

Fair market Rents: Published by HUD annually for the Bowling Green MSA

Family rent

to owner: in the voucher program, the portion of rent to owner paid by the family. (24 CFR 982.4)

Family Self-Sufficiency

(FSS) program: program to promote the development of local strategies to coordinate the use of public housing assistance and housing assistance under the voucher program with public and private resources, to enable families eligible to receive assistance under these programs to achieve economic independence and self-sufficiency. (24 CFR 984.101)

Family share: the portion of rent and utilities paid by the family. (24 CFR 982.4)

Family unit size: The appropriate number of bedrooms for a family, as determined by the PHA under the PHA subsidy standards. (24 CFR 982.4)

Family: includes all household members except live-in aides and foster children and adults. Use the number of family members to calculate subsidies and payments. Family includes but is not limited to:

- (1) a family with or without children (the temporary absence of a child from the home due to placement in foster care shall not be considered in determining family composition and family size);
- (2) an elderly family;
- (3) a near-elderly family;
- (4) a disabled family;
- (5) a displaced family;
- (6) the remaining member of a tenant family; and
- (7) a single person who is not an elderly or displaced person, or a person with disabilities, or the remaining member of a tenant family. (24 CFR 5. 403) Family—At application, all persons named on the application will be considered a “family”, regardless of relationship. At intake, any additions to the household members listed on the application will be subject to the same guidelines as during continued tenancy. The following individuals will be approved for addition to the household:

- spouse;
- absent parent of minor children who live in household;
- biological or adopted minor children of household member who has custody;
- minor children who have been awarded to a member of the household under court ordered custody arrangement.

Any other additions will be considered on a case by case basis.

Foster Child/Adult: A minor child under the age of 18 or an adult over the age of 18 who meets the following criteria is considered “foster” and is designated as such for purposes of determination of subsidy level and household income calculation.

- a) Foster adults are usually persons with disabilities, unrelated to the tenant family, who are unable to live alone (24 CFR 5.609).

b) Foster children are children that are in the legal guardianship or a custody of a State, county or private adoption or foster care agency, yet is cared for by foster parents in their own homes, under some kind of short-term or long-term foster care arrangement with the custodial agency (HUD Handbook 4350.3).

PHA will require the applicant or tenant family to provide documentation to verify that this is an official foster care placement. The income of the foster children/adults is not counted in family annual income, and foster children/adults do not qualify for a dependent deduction (24 CFR 5.603; HUD-50058 Instruction Booklet, P 35).

FSS account:	the FSS escrow account (24 CFR 984.103)
FSS credit:	the amount credited by the PHA to the participating family's FSS account. (24 CFR 984.103)
FSS family:	a family that resides in public housing or receives assistance under the rental certificate or rental voucher programs, and that elects to participate in the FSS program, and whose designated head of the family has signed the contract of participation. (24 CFR 984.103)
FSS related service program:	any program, publicly or privately sponsored, that offers supportive services. (24 CFR 984.103)
FSS slots:	refers to the total number of public housing units or the total number of rental certificates or rental vouchers that comprise the minimum size of a PHA's respective Public Housing FSS program or Housing Choice Voucher FSS program. (24 CFR 984.103)
Full-time student:	a person who is 18 years or older, other than head or spouse, who is attending school or vocational training on a full-time basis. (24 CFR 5.603)
FUP:	Family Unification Program. The Housing Choice Voucher FUP is designed to provide housing assistance to households whose lack of adequate housing is a primary cause of the separation or imminent separation of a child or children from their families. FUP accomplishes this by providing funding to public housing agencies that allocate the money to special housing choice vouchers for the families in danger of separation. Recipients of the vouchers must otherwise be eligible for the voucher program. The local public welfare agency must also certify that the lack of adequate housing is a primary reason that the family's child(ren) may be placed in out-of-home care or may be prevented from returning to the family.
Gross rent:	the sum of contract rent to owner plus any utility allowance. (24 CFR 982.4, 24 CFR 882.102)
Group home:	a dwelling unit that is licensed by a State as a group home for the exclusive residential use of two to twelve persons who are elderly or persons with disabilities (including any live-in aide). (24 CFR 982.4)

Guest:	A person temporarily staying in the unit with the consent of a tenant or other member of the household who has express or implied authority to consent.
HAP contract:	housing assistance payments contract. (24 CFR 982.4) Also see Housing assistance payment (HAP).
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) The person who assumes legal and moral responsibility for the household and is listed on the application as Head and is at least 18 years old. A family may not designate a family member as Head of Household solely to qualify as an Elderly or Disabled Household.
Homeless family:	<p>A homeless family includes:</p> <p>(A) Any person or family that lacks a fixed, regular, and adequate nighttime residence; and</p> <p>(B) Any person or family that has a primary nighttime residence that is:</p> <ol style="list-style-type: none"> (1) A supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing); (2) An institution that provides a temporary residence for individuals intended to be institutionalized; or (3) A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings. A “homeless family” does not include any person imprisoned or otherwise detained pursuant to an Act of Congress or a State law.
Homeowner:	a family of which one or more members owns the title to the home. (24 CFR 982.401)
HOPE VI:	the HOPE VI program was developed as a result of recommendations by National Commission on Severely Distressed Public Housing, which was charged with proposing a National Action Plan to eradicate severely distressed public housing. The Commission recommended revitalization in three general areas: physical improvements, management improvements, and social and community services to address resident needs.
Household:	includes everyone who lives in the unit, including foster children/adults and live-in aides. Household members are used to determine unit size.
Housing agency (HA):	a state, county, municipality or other governmental entity or public body (or agency or instrumentality thereof) authorized to engage in or assist in the development or operation of low-income housing. (Also referred to as a Public Housing Agency or PHA.) (24 CFR 5.100)
Housing assistance	

payment (HAP):	the monthly assistance payment by a PHA, which includes a payment to the owner for rent owed to the owner under the family's lease; and an additional payment to the family if the total assistance payment exceeds the rent to owner. (24 CFR 982.4)
Housing quality standards (HQS):	the HUD minimum quality standards for assisted housing under the tenant-based programs. (24 CFR 982.4)
Imputed welfare income:	the amount of annual income not actually received by a family, as a result of a specified welfare benefit reduction, that is nonetheless included in the family's annual income for purposes of determining rent.
Income Limits:	Published by HUD annually. The HCV Program admission income limit is the Very Low Limit for rental and the Low Limit for homeownership. b. Low Income: at or below 80% of area median c. Very Low Income: at or below 50% of area median d. Extremely Low Income: at or below 30% of area median
Individual training and services plan:	a written plan that is prepared for the head of the FSS family, and each adult member of the FSS family who elects to participate in the FSS program, by the PHA in consultation with the family member, and which sets forth the supportive services to be provided to the family member, the activities to be completed by that family member; and the agreed upon completion dates for the services and activities. Each individual training and services plan must be signed by the PHA and the participating family member, and is attached to, and incorporated as part of the contract of participation. An individual training and services plan must be prepared for the head of the FSS family. (24 CFR 984.103)
Initial PHA:	in Housing Choice Voucher portability, the term refers to both a PHA that originally selected a family that later decides to move out of the jurisdiction of the selecting PHA, and a PHA that absorbed a family that later decides to move out of the jurisdiction of the absorbing PHA. (24 CFR 982.4)
International Property Maintenance Code:	Additional inspection code adopted by the PHA. The more stringent code, HQS or IPMC, will be applied to each area of inspection.
IRS:	the Internal Revenue Service. (24 CFR 5.100)
Independent Student:	Does not have to qualify as a "Full Time Student". Qualifying student is

- 24 years of age or older (will be considered 24 if student will reach 24th birthday on or before December 31 of year of admission or recertification); or
- A veteran; or
- Married; or
- Has at least one dependent child.

A student who does not meet the definition of Independent Student may document his/her independence from his/her parents if all of the following are true:

- a. The individual is at least 18 years old;
- b. The individual can document that he/she has established a household separate from his/her parents for at least one year prior to application;
- c. The individual can document that he/she was not claimed as a dependent by his/her parents on the parents' most recent income tax return;
- d. The individual provides certification of the amount of financial assistance that will be provided by his/her parents, even if zero.

If the student documents all of the above, he/she will be afforded the same status as an Independent Student.

Jurisdiction: the area in which the PHA has authority under State and local law to administer the program. (24 CFR 982.4)

Language Access Plan The City of Bowling Green Language Access Plan

Lease: a written agreement between an owner and a tenant for the leasing of a dwelling unit to the tenant. The lease establishes the conditions for occupancy of the dwelling unit by a family with housing assistance payments under a HAP contract between the owner and the PHA. In cooperative housing, a written agreement between a cooperative and a member of the cooperative. The agreement establishes the conditions for occupancy of the member's cooperative dwelling unit by the member's family with housing assistance payments to the cooperative under a HAP contract between the cooperative and the PHA. (24 CFR 982.4)

Limited English Proficiency (LEP): Those persons for whom English is not their primary language and who have indicated that they speak and/or understand English "Not Well" or "Not at All".

Live-in aide: a person who resides with one or more elderly persons, or near-elderly persons, or persons with disabilities, and who: (1) Is determined to be essential to the care and well-being of the persons; (2) Is not obligated for the support of the persons; and (3) Would not be living in the unit except to provide the necessary supportive services. (24 CFR 5.

403)

Low income family: a family whose annual income does not exceed 80 percent of the median income for the area, as determined by HUD with adjustments for smaller and larger families, except that HUD may establish income ceilings higher or lower than 80 percent of the median income for the area on the basis of HUD's findings that such variations are necessary because of unusually high or low family incomes. (24 CFR 5.603)

Manufactured home: a manufactured structure that is built on a permanent chassis, is designed for use as a principal place of residence, and meets the Housing Quality Standards (HQS). (24 CFR 982.4)

Manufactured home space: in manufactured home space rental, a space leased by an owner to a family. A manufactured home owned and occupied by the family is located on the space. (24 CFR 982.4)

Medical expenses: Medical expenses, including medical insurance premiums, anticipated during the period for which annual income is computed, and not covered by insurance. (24 CFR 5.603)

Minimal Income: Annual gross household income from all sources (included, excluded and disregarded income) except food stamps of less than \$1200.

Minority: means any individual who is included within any one of the following racial and ethnic categories: (1) American Indian or Alaskan Native--a person having origins in any of the original peoples of North America, and who maintains cultural identification through tribal affiliation or community recognition; (2) Asian or Pacific Islander--a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands; (3) African-American--a person having origins in any of the black racial groups of Africa; and (4) Hispanic-- a person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race. (24 CFR 81.2)

Mixed family: a family whose members include those with citizenship or eligible immigration status, as well as those without citizenship or eligible immigration status. (24 CFR 5.504)

**Moderate Rehabilitation
Single Room Occupancy
Program for Homeless**

Individuals: rehabilitation involving a minimum expenditure of \$3,000 for a unit, including its prorated share of work to be accomplished on common areas or systems, to upgrade to decent, safe, and sanitary conditions to comply with the Housing Quality Standards (HQS) or other standards approved by HUD, from a condition below those standards (improvements being of a modest nature and other than routine maintenance). (24 CFR 882.802)

Moderate rehabilitation:	rehabilitation involving a minimum expenditure of \$1000 for a unit, including its prorated share of work to be accomplished on common areas or systems, to upgrade to decent, safe and sanitary conditions to comply with the Housing Quality Standards or other standards approved by HUD, from a condition below these standards (improvements being of a modest nature and other than routine maintenance) or to repair or replace major building systems/components in danger of failure. (24 CFR 882.102)
Monthly adjusted income:	one twelfth of adjusted annual income. (24 CFR 5.603)
Monthly income:	one twelfth of annual income. (24 CFR 5.603)
Mutual Help Occupancy Agreement (MHOA):	
	a lease with option to purchase contract between an IHA and a homebuyer under the 1937 Act. (24 CFR 1000.302)
MSA:	a metropolitan statistical area. (24 CFR 5.100)
MTCS:	means Multifamily Tenant Characteristics System. It was the forerunner of the PIC system.
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)
Net family assets:	(1) 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. (24 CFR 5.603)
Noncitizen:	a person who is neither a citizen nor national of the United States. (24 CFR 5.504)
Non-elderly disabled person:	a person with a disability who is less than 62 years of age. (24 CFR 945.105)
Officer:	a professional police officer or other professional security provider. Police officers and other security personnel are considered professional if they are employed full time, i.e., not less than 35 hours per week, by a governmental unit or a private employer and compensated expressly for providing police or security services. (24 CFR 960.503)
OMB:	the Office of Management and Budget. (24 CFR 5.100)

Other Person Under the Tenant's

Control: A person, although not staying as a guest in the unit, is or was at the time of the activity in question, on the premises because of an invitation from the tenant or other member of the household who has express or implied authority to invite them.

Over-income family: a family that is not a low income family. (24 CFR 960.102) Also see low income family.

Owner: the person or entity that leases an assisted dwelling unit to an eligible family and includes, when applicable, a mortgagee. (24 CFR 5.100). The owner of the property is the owner of record in the PVA records and HAP is paid to that individual, unless owner agrees to have the payment sent to their management company.

Participant

(participant family): A family that has been admitted to the PHA program and is currently assisted in the program. The family becomes a participant on the effective date of the first HAP contract executed by the PHA for the family (first day of initial lease term). (24 CFR 982.4)

Participant: for Section 8 of the 1937 Act, a family receiving rental assistance under the program. For the public housing program a family or individual that is assisted under the program. (24 CFR 5.100)

Payment standard: the maximum monthly assistance payment for a family assisted in the voucher program (before deducting the total tenant payment by the family). (24 CFR 982.4)

Person with disabilities:

a person who has a disability, as defined in:

(A) 42 U.S.C. 423 and is determined to have a physical, mental, or emotional impairment that is expected to:

- (1) be of long-continued and indefinite duration,
- (2) substantially impede his or her ability to live independently, and
- (3) be of such a nature that the ability to live independently could be improved by more suitable housing conditions, or

(B) has a developmental disability as defined in 42 U.S.C. 6001. This definition includes persons who have the disease of acquired immunodeficiency syndrome (AIDS) or any conditions arising from the etiologic agent for acquired immunodeficiency syndrome. For purposes of qualifying for low income housing, it does not include a person whose disability is based solely on any drug or alcohol dependence; and means "individual with handicaps". (24 CFR 5.403). For purposes of Reasonable Accommodation, a handicap is defined as a physical or mental impairment which substantially limits one or more of such person's major life activities, a record of such impairment, or being regarded as having such an impairment.

PHA: a Housing Authority--either a Public Housing Agency (PHA) or an Indian Housing Authority (IHA). (24 CFR 984.103)

PHRA:	stands for Public Housing Reform Act.
PIC:	stands for Public and Indian housing information center. PIC was designed to facilitate a more timely and accurate exchange of data between PHAs and local HUD offices by allowing the PHAs to submit information to HUD over the Internet.
Police officer:	a person employed on a full-time basis as a duly licensed professional police officer by a Federal, State or local government or by any agency of these governments. (24 CFR 5.661)
Portability:	renting a dwelling unit with tenant-based voucher assistance outside the jurisdiction of the initial PHA. (24 CFR 982.4)
Previously unemployed:	a person who has earned, in the twelve months previous to employment, no more than would be received for 10 hours of work per week for 50 weeks at the established minimum wage. (24 CFR 960.255)
Private space:	in shared housing: The portion of a contract unit that is for the exclusive use of an assisted family. (24 CFR 982.4)
Project-based assistance:	The subsidy is attached to the unit.
Project owner:	The person or entity that owns the housing project containing the assisted dwelling unit. (24 CFR 5.504)
Public Housing Agency (PHA):	any state, county, municipality, or other governmental entity or public body, or agency or instrumentality of these entities, that is authorized to engage or assist in the development or operation of low-income housing under the 1937 Act.
Public Housing programs:	the public housing programs administered by the Assistant Secretary for Public and Indian Housing under title I of the United States Housing Act of 1937. (24 CFR 5.306)
Public housing:	housing assisted under the 1937 Act, other than under HCV Public housing includes dwelling units in a mixed finance project that are assisted by a PHA with capital or operating assistance. (24 CFR 5.100)
Reasonable rent:	a rent to owner that is not more than rent charged for comparable units in the private unassisted market and for comparable unassisted units in the premises.
Receiving PHA:	in voucher portability, a PHA that receives a family selected for participation in the tenant-based program of another PHA. The receiving PHA issues a voucher and provides

program assistance to the family. (24 CFR 982.4)

- Rent to owner:** the total monthly rent payable to the owner under the lease for the unit. Rent to owner covers payment for any housing services, maintenance and utilities that the owner is required to provide and pay for. (24 CFR 982.4)
- ROSS:** Resident Opportunities and Self Sufficiency Program links services to Public and Indian housing residents by providing grants for supportive services, resident empowerment activities and activities to assist residents in becoming economically self-sufficient.
- Section 8:** section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f). (24 CFR 5.100)
- Security personnel means:** A police officer, or a qualified security professional, with adequate training and experience to provide security services for project residents. (24 CFR 5.661)
- Self-sufficiency:** that an FSS family is no longer receiving voucher, public or Indian housing assistance, or any Federal, State, or local rent or homeownership subsidies or welfare assistance. Achievement of self-sufficiency, although an FSS program objective, is not a condition for receipt of the FSS account funds. (24 CFR 984.103)
- Service provider:** a person or organization qualified and experienced in the provision of supportive services, and that is in compliance with any licensing requirements imposed by state or local law for the type of service or services to be provided. The service provider may provide the service on either a for-profit or not-for-profit basis. (24 CFR 945.105)
- Service requirement:** the obligation of each adult resident, other than an exempt individual, to perform community service or participate in an economic-self sufficiency program required in accordance with Sec. 960.603. (24 CFR 960.601)
- Shared housing:** a unit occupied by two or more families where at least one of the families is assisted. The unit consists of both common space for shared use by the occupants of the unit and separate private space for each assisted family. (24 CFR 982.4)
- Single person:** a person who lives alone or intends to live alone, who is not an elderly person, a person with disabilities, a displaced person, or the remaining member of a tenant family. (24 CFR 945.105)
- Single room occupancy housing (SRO):** a unit that contains no sanitary facilities or food preparation facilities, or contains either, but not both, types of facilities. (24 CFR 982.4)

Social Security Number

(SSN): the nine-digit number that is assigned to a person by the Social Security Administration and that identifies the record of the person's earnings reported to the Social Security Administration. The term does not include a number with a letter as a suffix that is used to identify an auxiliary beneficiary. (24 CFR 5.100)

Special admission: admission of an applicant that is not on the PHA waiting list or without considering the applicant's waiting list position. (24 CFR 982.203)

Specified welfare benefit reduction:

a reduction of welfare benefits by the welfare agency, in whole or in part, for a family member, as determined by the welfare agency, because of fraud by a family member in connection with the welfare program; or because of welfare agency sanction against a family member for noncompliance with a welfare agency requirement to participate in an economic self-sufficiency program. (24 CFR 5.615)

SSA: the Social Security Administration. (24 CFR 5.100)

SSI: means Supplemental Security Income.

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

Subsidy standards: standards established by a PHA to determine the appropriate number of bedrooms and amount of subsidy for families of different sizes and compositions. (24 CFR 982.4)

Supportive services

(FSS Family): those appropriate services that a PHA will make available, or cause to be made available to an FSS family under a contract of participation. (24 CFR 984.103)

Suspension: stopping the clock on the term of a family's voucher, for such period as determined by the PHA, from the time when the family submits a request for PHA approval of the tenancy, until the time when the PHA approves or denies the request. (24 CFR 982.4)

Tenant rent: the amount payable monthly by the family as rent to the unit owner (r or PHA in public housing). (This term is not used in the voucher program.) (24 CFR 5.603)

Tenant: an individual or a family renting an assisted dwelling unit. (24 CFR 5.504). The person or persons (other than a live-in aide) who executes the lease as lessee of the dwelling unit. (24 CFR 982.4)

TIN: Tax Identification Number.

TTP—Total

Tenant Payment: calculated as the greater of (30% of adjusted gross monthly income or 10% of gross monthly income).

**Unit size or
size of unit:**

the number of bedrooms in a dwelling unit. (24 CFR 984.103)

USCIS:

The Bureau of U.S. Citizenship and Immigration Services, formerly the Immigration and Naturalization Service (INS). (24 CFR 5.504)

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, utility allowance is an amount equal to the estimate made or approved by a PHA or HUD 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

(vouchers):

in the voucher program, the portion of the housing assistance payment which exceeds the amount of the rent to owner. (24 CFR 982.4)

**Very low income
family:**

a family whose annual income does not exceed 50 percent of the median family income for the area, as determined by HUD with adjustments for smaller and larger families, except that HUD may establish income ceilings higher or lower than 50 percent of the median income for the area if HUD finds that such variations are necessary because of unusually high or low family incomes. (24 CFR 5.603)

Voucher

(rental voucher):

a document issued by a PHA to a family selected for admission to the voucher program. This document describes the program and the procedures for PHA approval of a unit selected by the family. The voucher also states obligations of the family under the program. (24 CFR 982.4)

Voucher holder:

a family holding a voucher with an unexpired term (search time). (24 CFR 982.4)

**Waiting list
admission:**

an admission from the PHA waiting list. (24 CFR 982.4)

Welfare assistance:

income assistance from Federal or State welfare programs, and includes assistance provided under the Temporary Assistance to Needy Families (TANF) Program, Supplemental Security Income (SSI) that is subject to an income eligibility test; Medicaid, food stamps, general assistance, or other assistance provided under a Federal or State program directed to meeting general living expenses, such as food, health care,

child care, but does not include assistance solely directed to meeting housing expenses, and does not include transitional welfare assistance provided to JOBS participants. (24 CFR 984.103). Welfare or other payments to families or individuals, based on need, that are made under programs funded, separately or jointly, by Federal, State or local governments. (24 CFR 5.603)

**Welfare-to-work
(WTW) families:**

families assisted by a PHA with voucher funding awarded to the PHA under the HUD welfare-to-work voucher program (including any renewal of such WTW funding for the same purpose). (24 CFR 982.4)

Appendix IV

FULL OR PART TIME STUDENT CHART

Type of Student	Financial Aid**	Wages***	Support	Other
1. Full or PTS under 24* w/ or w/o dependent <u>living separately</u> from parents or guardian OR Full or PTS 24 or older w/o dependent <u>living separately</u> from parents or guardian	Full amount of loans is entered and fully excluded. Grants <u>in excess of tuition</u> are entered and counted as income.	All wages are entered as income and fully counted.	<u>If non-independent student</u> – parents <u>must</u> complete support verification form even if \$0. All support received is entered and counted as income. See “Admission of Students” to verify continuance of eligibility. <u>If independent student</u> – parental support from is not mandatory.	Any other household income is entered and counted as income.
2. Full or PTS 24 or older w/ dependent <u>living separately</u> from parents or guardian	Full amount of loans and grants is entered and fully excluded.	All wages are entered and counted as income.		Any other household income is entered and counted as income.
3. FTS 18 or older <u>living with parents</u> . Relationship “E”	Full amount of loans and grants is entered and fully excluded.	All wages are entered, but earnings in excess of \$480 are excluded.		Any other income received by student is entered and counted as income.
4. Part-time student 18 or older <u>living with parents</u> . Relationship “A”	Full amount of loans and grants is entered and fully excluded.	All wages are entered and 100% counted		Any other income received by student is entered and counted as income.

*“Under 24” means that the student will not reach his/her 24th birthday by December 31 of the calendar year for which financial aid is received.

**Financial Aid means: government grants, loans, scholarships, private grants, etc. Any portion of an athletic scholarship designated for housing is considered income and is not excluded.

***Title IV Wages are treated as financial aid and added on the top of Grants.

RECERTIFICATION OF STUDENTS

The same procedure as outlined for bellow (Admission of Students) must be followed at recertification in order to verify continued eligibility.

ADMISSION OF STUDENTS (NON – INDEPENDENT STUDENTS)

For admission eligibility and financial aid exclusion, HUD does not differentiate between FTS and PTS for purposes of this rule (admission eligibility and financial aid as income).

No assistance shall be provided to any individual who:

- Is enrolled as a student at an institution of higher education; and
 - Is under 24 years of age (will be considered to be 24 years of age if student will reach 24th birthday on or before December 31 of the year under consideration); or
 - Is not a veteran of the U. S. military; or
 - Is unmarried; or
 - Does not have a dependent child; or
 - Is not otherwise individually eligible, or has parents who, individually or jointly, are not eligible on the basis of income to receive assistance.

A student who meets one or more of the above criteria **OR** the Financial Aid Form completed by the educational institution identifies the student as an Independent Student and eligible for admission as long as he/she is otherwise eligible (see chart).

A student under the age of 24 living apart from parents who is not a veteran, is unmarried or does not have a dependent child in the household may be considered and Independent Student if a two part income eligibility test is true. Both parts of this test must be true in order for the individual to be eligible for admission to the HCV program:

1. The student must be individually income eligible as verified by all household income received by all members of the student's household; and
2. The parents of the student must be income eligible as verified by household income of parents. This is calculated as only the income of the parents' household (individually or jointly: if parents live together, calculate income of joint household; if parents live separately, calculate each individual household income and add together; if one parent is unknown, deceased or cannot be located, calculate income of available parent household only after obtaining certification from student as to the circumstances). Use tax returns if available; if tax returns are not available, use the Parental Income Verification Form. The income limit to use in determining parental eligibility is the Low Income Limit for the area in which they live.

Appendix V

FAMILY OBLIGATIONS UNDER THE HOUSING CHOICE VOUCHER PROGRAM

Violation of any of these rules is grounds for termination of assistance or other punitive action and/or a three year period of ineligibility.

1. The assisted household must supply all information determined by the PHA or HUD to be necessary for the administration of the program.
2. The assisted household must keep all appointments scheduled with the PHA office unless canceled or rescheduled in advance.
3. The assisted household must allow the PHA to inspect the unit at reasonable times and after reasonable notice. The assisted household is responsible for any damages to the unit during tenancy beyond normal wear and tear.
4. The assisted household must keep the unit safe, decent and sanitary at all times.
5. The assisted household is responsible to provide any utilities and/or appliances not provided by the owner, as stated in the lease, and to maintain service at all times. Lack of utility service and/or appliances would make the unit substandard.
6. The assisted unit must be used by the family as its primary residence. The assisted household must promptly notify the PHA of absences from the unit expected to be longer than 20 days. The sole adult household member must not be absent from the unit for more than 30 days, unless previously approved by the PHA.
7. The assisted household may not commit any violation of the owner's lease and must pay Tenant's Rent as determined by the PHA, on the first day of each month unless otherwise stipulated in the lease.
8. The assisted household must not be court evicted from the unit for the reason(s) that would also violate any of the program rules or the owner's lease. The family must promptly give the PHA a copy of any owner issued eviction notice and related documents.
9. The assisted household must notify the PHA and the owner prior to moving or terminating the lease by submitting the 30 Day Notice at least 30 days prior to the anticipated move date. The lease will terminate on the last day of the month following the 30 day notice period. The assisted household may not move during the lease term and may move only once during any 12 month period.
10. The assisted household must promptly report any change in household composition (pursuant to #12). Before allowing someone to move in to the assisted unit, the assisted household must request PHA's approval.
11. The address of the assisted unit may not be used by anyone other than those persons listed on the lease. Use of the address for receipt of mail, or any other reason, by another person may be considered evidence that the individual is residing in the unit without authorization.
12. Any guest who remains in the unit over 24 hours must be reported to the PHA within three (3) days of arrival. If reported within 3 days of arrival, an adult guest may remain in the unit for up to 30 days during any 12 month period and a minor child may remain in the unit for up to 90 days in a 12 month period. Guests who are not reported to the PHA within 3 days of arrival will be assumed to be residing in the unit without the PHA's approval. Court custody of a minor child must be granted to a household member in order for the child to remain in the assisted unit over 90 days.

13. Any household member 18 years old or older who is enrolled as a full time student must report any change in his/her student status within 14 days.
14. The assisted household must report all increases in household income within 14 days of onset. Failure to report required changes in income within the 14 day grace period will result the execution of a Repayment Agreement and/or termination from the program. Failure to report income increases as required will constitute possible fraud on the part of the family.
15. The assisted household must make monthly payments on executed Repayment Agreements.
16. The assisted household cannot have more than 3 (4 or more) unreported, late reported, or under-reported incomes that resulted in more than 3 (4 or more) repayment agreements during the most recent 36 months period. These actions would be considered as a repetitive violation of family obligations and possible fraud.
17. The assisted household must not engage in threaten, abusive or violent behavior toward PHA personnel.
18. The assisted household must not commit fraud, bribery or any other corrupt or criminal act in connection with the program.
19. No member of the assisted household, guest, or person in the unit with express or implied permission of the assisted household may engage in alcohol abuse which interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents.
20. No member of the assisted household, guest or person in the unit with express or implied permission of the assisted household may engage in drug related criminal activity or violent criminal activity on the premises of the assisted unit.
21. No member of the assisted household may engage in drug related criminal activity or violent criminal activity - If there has been an arrest but no conviction in the case of drug-related or violent criminal activity, termination may be delayed until the PHA is able to determine if there will be a conviction. However, if credible or a "preponderance of the evidence" is found to exist, that a family member has engaged in drug-related or violent criminal activity, the PHA may terminate assistance based on those facts.
22. The assisted household must not own or have any interest in the unit. The assisted unit must not be owned by a relative as described in the Request for Tenancy. The unit must not be sub-let nor the lease transferred to another person.
23. An assisted household must not receive HCV assistance while receiving any other housing subsidy under any federal, state, or local housing assistance program.

WARNING! You can be fined up to \$500.00 or imprisoned up to five (5) years or both. Be sure to give correct information. Kentucky Revised Statute 514.040 Theft by Deception makes it a crime to knowingly give false information to get a lower rent, or to receive aid or benefits under any state or federally funded assistance program. I, the undersigned, have read the above statement or it has been read to me, and that I understand and agree to abide by the Family Obligations. I understand that violation of any of the above items is grounds for termination from the HCV Program and loss of eligibility for Rental Assistance/Mortgage Assistance and that I am entitled to an Informal Hearing to settle disputes with the Housing Choice Voucher office.

Signature of Head of Household

Date

Signature of Spouse or Other Adult Household Member

Date

Doc # 197420