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# Admissions and Continued Occupancy Policy

# **The Housing Authority of the City of Columbia, SC**

Admissions and Continued Occupancy Policy

# **A.C.O.P.**

Policy Number B-3

BOARD APPROVAL: Pending

EFFECTIVE: July 1, 2019

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**THE HOUSING AUTHORITY OF  
THE CITY OF COLUMBIA, SOUTH CAROLINA**

BOARD APPROVED: MARCH 19, 2014

EFFECTIVE:

**ADMISSIONS AND CONTINUED OCCUPANCY POLICY**

This Admissions and Continued Occupancy Policy defines the policies of the Housing Authority of the City of Columbia, South Carolina, hereinafter referred to as the CHA, for the operation for the Public Housing Program, incorporating Federal, State and local law. If there is any conflict between this policy and laws and/or regulations, the laws and regulations will prevail.

**1.0 FAIR HOUSING**

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

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

To further its commitment to full compliance with applicable Civil Rights laws, the Columbia Housing Authority will provide Federal/State/local information to applicants/tenants of the Public Housing Program regarding discrimination and any recourse available to them if they believe they may be victims of discrimination. Such information is posted in the lobby, and all applicable Fair Housing Information and Discrimination Complaints are handled by the South Carolina State Human Affairs Commission, which is located at 2611 Forest Drive, Columbia. The phone number is (803)-737-7800.

In addition, all written information and advertisements will contain the appropriate Equal Opportunity language and logo.

**2.0 REASONABLE ACCOMODATION**

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



requested accommodation. Because disabilities are not always apparent, the Columbia Housing Authority will ensure that all applicants/tenants are aware of the opportunity to request reasonable accommodations.

## **2.1 COMMUNICATION**

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

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

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

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

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

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

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

- B. Is the requested accommodation related to the disability? If it is apparent that the request is related to the apparent or documented disability, the answer to this question is yes. If it is not apparent, the Columbia Housing Authority will obtain documentation that the requested accommodation is needed due to the disability. The Columbia Housing Authority will not inquire as to the nature of the disability.
- C. Is the requested accommodation reasonable? In order to be determined reasonable, the accommodation must meet two criteria:
1. Would the accommodation constitute a fundamental alteration?  
The Columbia Housing Authority's business is housing. If the request

would alter the fundamental business that the Columbia Housing Authority conducts, that would not be reasonable. For instance, the Columbia Housing Authority would deny a request to have the Columbia Housing Authority do grocery shopping for a person with disabilities.

2. Would the requested accommodation create an undue financial hardship or administrative burden? Frequently the requested accommodation costs little or nothing. If the cost would be an undue burden, the Columbia Housing Authority may request a meeting with the individual to investigate and consider equally effective alternatives.
- D. Generally the individual knows best what it is they need; however, the Columbia Housing Authority retains the right to be shown how the requested accommodation enables the individual to access or use the Columbia Housing Authority's programs or services.

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

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

If a Section 8 tenant requests as a reasonable accommodation that they be permitted to make physical modifications at their own expense, the Columbia Housing Authority, with consent of the landlord/owner, will generally approve such request if it does not violate codes or affect the structural integrity of the unit. The Columbia Housing Authority cannot make or be financially responsible for any physical modifications to any Section 8 property.

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

### **3.0 SERVICES FOR LIMITED ENGLISH PROFICIENT (LEP) APPLICANTS AND RESIDENTS/VOUCHER HOLDERS**

The Columbia Housing Authority will endeavor to have bilingual staff or access to people who speak languages other than English in order to assist Limited English Proficient (LEP) speaking families. All services will be provided in accordance with the CHA Board Approved LEP Policy.

### **4.0 FAMILY OUTREACH**

The Columbia Housing Authority will publicize the availability and nature of the Public Housing Program for extremely low income, very low and low-income families in a newspaper of general circulation, minority media, the Columbia Housing Authority's web site, Residents Newsletter and by other suitable means.

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

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

## **5.0 RIGHT TO PRIVACY**

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

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

## **6.1 REQUIRED POSTINGS**

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

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

- H. Dwelling Lease
- I. Grievance Procedure
- J. Fair Housing Poster
- K. Equal Opportunity in Employment Poster
- L. Any current Columbia Housing Authority Notices
- M. Flat Rent Schedule

## **6.1 RECORD RETENTION**

Documents and records for previous applicants, and previous tenants with no balances or concerns which would affect their obtaining housing from CHA in the future, will be maintained for three (3) years after their separation from our waiting list and /or housing programs. Documents and/or files of previous tenants who left owing balances to the Columbia Housing Authority will be maintained indefinitely until such balance is cleared.

## **7.0 TAKING APPLICATIONS**

### **7.1 *TAKING APPLICATIONS FOR PUBLIC HOUSING AND THE SECTION 8 MODERATE REHABILITATION PROGRAM***

Families wishing to apply for the Public Housing and Section 8 Moderate Rehabilitation Housing Programs will be required to complete an application for housing assistance. Applications will be accepted only by computer, 24 hours a day, and seven days a week.

The primary method of application is through the CHA's website: [www.chasc.org](http://www.chasc.org).

Computer kiosks are available from 8:00am to 5:00pm, Monday through Friday, with holidays excepted, at the central office of the Columbia Housing Authority at 1917 Harden Street, Columbia, SC 29204 .

Other locations may become available and will be advertised by Public Notice.

The application date/time will be determined by the date and time the application reaches the Columbia Housing Authority's computer system (EST) for those using computers and

by the stamp date for all applications that may be accepted via FAX, internet, mail, or hand delivery during regular office hours (8:00am-5:00pm, Monday thru Friday, with the exception of public holidays).

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

Applications will be accepted from all applicants and the Columbia Housing Authority will verify the information. Applications for multiple programs can be placed on the same application only at the time the initial application is placed. Other programs cannot be added after initial application date. If the applicant wants to apply for another program at a later date, a separate application is required.

All applicants are encouraged to apply on the internet through the CHA website: <http://www.chasc.org/home.html>. Applications may be made in person at one of the computer kiosks at the Columbia Housing Authority's Main Office from 8:00am to 5:00pm, Monday through Friday with holidays excepted. Applications will be mailed upon request to elderly and disabled families.

Hand delivered housing applications will be validated by the Columbia Housing Authority upon receipt with the current elate and time.

Persons with disabilities who require a reasonable accommodation in completing an application may call the Columbia Housing Authority to make special arrangements. A Telecommunication Device for the Deaf (TDD) is available. The TDD telephone number is (803) 256-7762. Applicants may also use Relay South Carolina by calling 1-800-735 2905.

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

The Columbia Housing Authority will notify the family in writing of the date and time of placement on the waiting list, and the approximate wait time before housing may be offered. If the Columbia Housing Authority determines the family to be ineligible, the notice will state the reasons therefore and will offer the family the opportunity of an informal review of the determination.

The applicant must report in writing changes in his/her applicant status including changes in address, family composition, income, or preference factors. The Columbia Housing Authority will annotate the applicant's file and will update their place on the waiting list.

The second phase is the final determination of eligibility, referred to as the application update. The application update takes place when the family nears the top of the waiting list. The Columbia Housing Authority will ensure that verification of all preferences, eligibility, suitability and selection factors are current within 120 days for Public Housing (60 days for the Moderate Rehabilitation Voucher Program) in order to determine the family's final eligibility for admission into the program.

Depending on the length of the waiting list, several updates may be required before an applicant is housed.

## **7.2 TAKING APPLICATIONS FOR THE SECTION 8 VOUCHER PROGRAM**

Families wishing to apply for the Section 8 Housing Voucher Program will be required to complete an application for housing assistance. Applications will be accepted when the Section 8 Waiting list status is "open" and during posted application hours at a location as determined by the Columbia Housing Authority. The location will always be included in the public notice.

Applications are taken to compile a waiting list. Due to the demand for Section 8 housing in the Columbia Housing Authority jurisdiction, the CHA may take applications and then may utilize a lottery process to determine placement on the waiting list. (This utilization of a lottery system became effective January 15, 2008.)

Applications will be accepted from all applicants and the Columbia Housing Authority will verify the information.

Persons with disabilities who require a reasonable accommodation in completing an application may call the Columbia Housing Authority to make special arrangements. A Telecommunication Device for the Deaf (TDD) is available. The TDD telephone number is (803) 256-7762. Applicants may also use Relay South Carolina by calling 1-800-735-2905.

The application process will involve two phases. The first phase is the initial application for housing assistance. The application requires the family to provide limited basic information establishing any preferences to which they may be entitled.

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

The applicant must report in writing changes in his/her applicant status including changes in address, family composition, income, or preference factors. The Columbia Housing

Authority will annotate the applicant's file and will update their place on the waiting list if there is a change in preference.

The second phase is the final determination of eligibility, referred to as the application update. The application update takes place when the family nears the top of the waiting list. The Columbia Housing Authority will ensure that verification of all preferences, eligibility, and selection factors are current within 60 days in order to determine the family's final eligibility for admission into the program.

Depending on the length of the waiting list, several updates may be required before an applicant receives voucher orientation.

### 7.3 ***TAKING APPLICATIONS FOR THE HOMEOWNERSHIP PROGRAM***

Families wishing to apply for the Homeownership Program will be required to complete a Homeownership application. Homeownership applications will be accepted during posted application hours at the following locations:

1. Columbia Housing Authority  
1917 Harden Street  
Columbia, SC 29204
2. Other locations as specified by Public Notice

Homeownership applications are taken to compile a waiting list and the Columbia Housing Authority will verify the information contained on these cards.

Homeownership applications may be made in person at the Columbia Housing Authority's Main Office during regular work hours which are Monday through Friday from 8 a.m. until 5 p.m. (holidays excepted).

Persons with disabilities who require a reasonable accommodation in completing an application may call the Columbia Housing Authority to make special arrangements. A Telecommunication Device for the Deaf (TDD) is available. The TDD telephone number is (803) 256-7762. Applicants may also use Relay South Carolina by calling 1-800-735-2905.

The homeownership application process will involve two phases. The first phase is the initial homeownership application. The homeownership application requires the family to provide limited basic information (including income) establishing any preferences to which they may be entitled. This first phase results in the family's placement on the waiting list.

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

The applicant must report in writing changes in his/her applicant status including changes in address, family composition income, or preference factors. The Columbia Housing Authority will annotate the applicant's file and will update their place on the waiting list.

The second phase is the final determination of eligibility, referred to as the application update. The application update takes place when the family nears the top of the waiting list. The Columbia Housing Authority will ensure that verification of all preferences, eligibility, suitability and selection factors are current within 120 days in order to determine the family's final eligibility for admission into the Public Housing Program.

Depending on the length of the waiting list, several updates may be required before an applicant is housed.

## **8.0 ELIGIBILITY FOR ADMISSION**

### **8.1 INTRODUCTION**

There are five eligibility requirements for admission to the Public Housing program and they are as follows: must qualify as a family, have an income within the current income limits, must meet citizenship/eligible immigrant criteria, must provide documentation of Social Security numbers, and must sign all required Columbia Housing Authority documents. In addition to the eligibility criteria, families must also meet the Columbia Housing Authority screening criteria in order to be admitted to public housing.

### **8.2 ELIGIBILITY CRITERIA**

#### **A. Family status.**

1. **A family with or without children.** Such a family is defined as:
  - A. A group of people related by blood, marriage, or adoption that live together in a stable family relationship.
  - B. Two or more persons who intend to share residency whose income and resources are available to meet the family's needs and who have a history as a family unit or show evidence of a stable family relationship.



- C. Children temporarily absent from the home due to placement in foster care are considered family members.
  - D. Unborn children and children in the process of being adopted are considered family members for the purpose of determining bedroom size but are not considered family members for determining income limit.
2. An **elderly family**, which is:
- a. A family whose head, spouse, or sole member is a person who is at least 62 years of age;
  - b. Two or more persons who are at least 62 years of age living together; or
  - c. One or more persons who are at least 62 years of age living with one or more live-in aides.
3. A **near-elderly family**, which is:
- a. A family whose head, spouse, or sole member is a person who is at least 50 years of age but below the age of 62;
  - b. Two or more persons, who are at least 50 years of age but below the age of 62, living together; or
  - c. One or more persons who are at least 50 years of age but below the age of 62, living with one or more live-in aides.
4. A **disabled family**, is:
- a. A family whose head, spouse, or sole member is a person with disabilities;
  - b. Two or more persons with disabilities living together; or
  - c. One or more persons with disabilities living with one or more live-in aides.
5. A **displaced family**, which is a family in which each member, or whose sole member, has been displaced by governmental action, or whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal disaster relief laws.

6. A **remaining member of a tenant family**.
  7. A **single person** who is not an elderly or displaced person, a person with disabilities, or the remaining member of a tenant family.
- B. Income eligibility
1. The family income cannot exceed 80 percent of the median income for the area.
  2. Income limits apply only at admission and are not applicable for continued occupancy.
  3. A family may not be admitted to the public housing program from another assisted housing program (e.g., tenant-based Section 8) or from a public housing program operated by another housing authority without meeting the income requirements of the Columbia Housing Authority.
  4. If the Columbia Housing Authority acquires a property for federal public housing purposes, the families living there must have incomes within the low-income limit in order to be eligible to remain as public housing tenants.
  5. Income limit restrictions do not apply to families transferring within our Public Housing Program.
- C. Citizenship/Eligibility Status
1. To be eligible each member of the family must be a citizen, national, or a non-citizen who has eligible immigration status under one of the categories set forth in Section 214 of the Housing and Community Development Act of 1980 (see 42 U.S.C. 1436a(a)).
  2. Family eligibility for assistance.
    - a. A family shall not be eligible for assistance unless every member of the family residing in the unit is determined to have eligible status, with the exception noted below.
    - b. Despite the ineligibility of one or more family members, a mixed family may be eligible for one of three types of assistance. (See Section 13.5 for calculating rents under the non-citizen rule)

- c. A family without any eligible members and receiving assistance on June 19, 1995 may be eligible for temporary deferral of termination of assistance.

D. Social Security Number Documentation

To be eligible, all family members must be provided a Social Security number.

E. Signing Consent Forms

1. In order to be eligible, each member of the family who is at least 18 years of age, and each family head and spouse regardless of age, shall sign one or more consent forms.
2. The consent form must contain, at a minimum, the following:
  - a. A provision authorizing HUD or the Columbia Housing Authority to obtain from State Wage Information Collection Agencies (SWICAs) any information or materials necessary to complete or verify the application for participation or for eligibility for continued occupancy; and
  - b. A provision authorizing HUD or the Columbia Housing Authority to verify with previous or current employers income information pertinent to the family's eligibility for or level of assistance;
  - c. Financial institutions;
  - d. A provision authorizing HUD to request income information from the IRS and the SSA for the sole purpose of verifying income information pertinent to the family's eligibility or level of benefits; and
  - e. A provision authorizing HUD or the Columbia Housing Authority to verify with financial institutions information regarding income pertinent to the family's eligibility and level of assistance;
  - f. A statement that the authorization to release the information requested by the consent form expires 15 months after the date the consent form is signed.

### 8.3 *SUITABILITY*

- A. Applicant families will be evaluated to determine whether, based on their recent

behavior, such behavior could reasonably be expected to result in noncompliance with the Public Housing lease. The Columbia Housing Authority will look at past conduct as an indicator of future conduct. Emphasis will be placed on whether a family's admission could reasonably be expected to have a detrimental effect on the development environment, other tenants, Columbia Housing Authority employees, or other people residing in the immediate vicinity of the property. Otherwise eligible families will be denied admission if they fail to meet the suitability criteria.

- B. The Columbia Housing Authority will consider objective and reasonable aspects of the family's background, including the following:
1. History of meeting financial obligations, especially rent;
  2. Ability to maintain (or with assistance would have the ability to maintain) their housing in a decent and safe condition based on living or housekeeping habits and whether such habits could adversely affect the health, safety, or welfare of other tenants;
  3. History of criminal activity by any household member involving crimes of physical violence against persons or property and any other criminal activity including drug related criminal activity that would adversely affect the health, safety, or well-being of other tenants or staff or cause damage to the property;
  3. History of disturbing neighbors or destruction of property;
  4. Having committed fraud in connection with any Federal housing assistance program including the intentional misrepresentation of information related to their housing application or benefits derived there from; and
  5. History of abusing alcohol in a way that may interfere with the health, safety, or right to peaceful enjoyment by others.
- C. The Columbia Housing Authority will ask applicants to provide information demonstrating their ability to comply with the essential elements of the lease. The Columbia Housing Authority will verify the information provided. Such verification may include but may not be limited to the following:
1. A credit check of all family members who are 18 and older;
  2. A rental history check of all adult family members;
  3. A criminal background check on all adult household members, including live-in aides. This check will be made through State or local law

enforcement or court records in those cases where the household member has lived in the local jurisdiction for the last five years. Where the individual has lived outside the local area, the Columbia Housing Authority may contact law enforcement agencies where the individual had lived or request a check through the FBI's National Crime Information Center (NCIC). The Columbia Housing Authority reserves the right to fingerprint any applicant in order to carry out this background check;

4. A home visit. The home visit provides the opportunity for the family to demonstrate their ability to maintain their home in a safe and sanitary manner. This inspection considers cleanliness and care of rooms, appliances, and appurtenances. The inspection may also consider any evidence of criminal activity; and
5. A check of the lifetime sex offender registration program for each adult household member, including live-in aides. No individual registered with this program will be admitted to public housing.

#### **8.4 GROUND S FOR DENIAL**

The Columbia Housing Authority is not required or obligated to assist applicants who:

- A. Do not meet any one or more of the eligibility criteria;
- B. Do not supply information or documentation to include Social Security numbers for all family members on application as required by the application process;
- C. Have failed to respond to a written appointment, request for information or a request to declare their continued interest in the program;
- D. Have a history of not meeting financial obligations, especially rent;
- E. Do not have the ability to maintain (with assistance) their housing in a decent and safe condition where such habits could adversely affect the health, safety, or welfare of other tenants;
- F. Have a history of criminal activity by any household member involving crimes of physical violence against persons or property and any other criminal activity including drug-related criminal activity that would adversely affect the health, safety, or well-being of other tenants or staff or cause damage to the property.
  1. However, if an applicant or participant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking it is not appropriate to deny him/her program assistance or admission into public housing. Nothing in this section supersedes a Federal, State, or local law that provides greater protection for victims.

- G. Have a history of disturbing neighbors or destruction of property;

**The following circumstances will result in automatic denial upon verification from applicant or any background source:**

- A. Currently owes rent or other amounts to any federally assisted housing entity in connection with their housing assistance programs;
- B. Have committed fraud, bribery or any other corruption in connection with any Federal housing assistance program including the intentional misrepresentation of information related to their housing application or benefits derived there from;
- C. Have been involved with or formally charged in drug-related criminal activity involving the personal use or possession for personal use within five years of the projected date of admission into Section 8 housing and within five years of the projected date of admission into Public housing;
- D. Have been involved with or formally charged in drug-related criminal activity involving the illegal manufacture, sale, distribution, or possession with the intent to manufacture, sell, distribute a controlled substance as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. 802 within five years of the projected date of admission;

Are illegally using a controlled substance or are abusing alcohol in a way that may interfere with the health safety, or right to peaceful enjoyment of the premises by other residents. The Columbia Housing Authority may waive this requirement if:

1. The person demonstrates to the Columbia Housing Authority's satisfaction that the person is no longer engaging in drug-related criminal activity or abuse of alcohol;
  2. Has successfully completed a supervised drug or alcohol rehabilitation program;
  3. Has otherwise been rehabilitated successfully with the documentation of a CHA-recognized program; or
  4. Is participating in a supervised drug or alcohol rehabilitation program.
- F. Have engaged in or threatened abusive or violent behavior towards any Columbia Housing Authority staff or residents;
- G. Have a household member who has been evicted from federally assisted housing within the last five years;

- H. Have a family household member who has been terminated under the certificate or voucher program;
- I. Are under the age of 18, unless so ordered by a court;
- J. **Denied for Life:** If any family member has been convicted of manufacturing or producing any illegal drug in a public housing development or in a Section 8 assisted property;
- K. **Denied for Life:** If any member has a lifetime registration under a State sex offender registration program.

### 8.5 *INFORMAL REVIEW*

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

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

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

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

### 8.6 *REINSTATEMENT OF A DENIAL APPLICATION*

An applicant file may be reinstated for good cause (example, CHA error) or as a result of a hearing. Reinstatement must be approved by the Executive Director

or his representative. Reinstatements are made effective on the date of such action unless a Housing Authority error has occurred.

## 8.7 7 ***ORIENTATION AND SCREENING***

### A. Standards for Determining Suitability for Public Housing

1. A thorough evaluation of applicants is one of the Columbia Housing Authority's most important jobs.  
It is essential in maintaining well-managed communities.
2. The CHA will make an informed judgment about the applicant's suitability

### B. Methods of Public Housing Applicant Evaluation

The Columbia Housing Authority's Applicant Screening Committee will interview the applicant. The committee will conduct a personal interview with the applicant and all adult members listed on the application. Applicants will be evaluated on information pertaining to history of income, employment, educational background, marital status, landlord and rent paying references, credit, criminal and drug-related background and the ability to live as a productive member of a community. All applicants will be asked to answer a list of standard questions. The committee will then approve or deny the applicant for housing assistance based on the information obtained during the interview.

The applicant screening committee will be composed of CHA staff residents and members of the community.

The Applicant Screening Committee may require a home visit. Focus will be on identifying behavior that would pose a health hazard or be destructive to property or a nuisance to other residents.

The ability to live independently or to comply with the lease will be a consideration in evaluating applicants who:

- a) Are in poor health or deteriorating physical or mental health;
- b) Are of limited mental capacity;
- c) Are not yet adults (at least 18 years old);
- d) Are not living independently at the time of application, such as those who have been in nursing homes, halfway houses, shelters or under institutional care.

### C. The Columbia Housing Authority Screening Committee will deny admission to applicants for public housing who have a history of:

- a) Not meeting financial obligations, especially rent;



- b) Disturbing the neighbors or abusive actions at the time of the interview;
- c) Living or housekeeping habits which could adversely affect the safety, health or welfare of other tenants;
- d) The Columbia Housing Authority will consider the applicant's arrest record;
- e) The use of alcohol and/or drugs to the extent likely to result in conduct that would adversely affect the community environment;
- f) Applicants with drug-related evictions will not be placed on the waiting list for five years after such charge;
- g) The Screening Committee determines an applicant or any family member illegally uses a controlled substance;
- h) The Screening Committee has reasonable cause to believe an applicant illegally uses a controlled substance or abuses alcohol in a way that may interfere with the health, safety or right to peaceful enjoyment of the premises by other residents.

Prior to signing the lease all families (head of household) and other adult family members will be required to attend the Lease and Occupancy Orientation when they are initially accepted.

## **9.0 MANAGING THE WAITING LIST**

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

Opening of the waiting list will be announced with a 30 day advance public notice slating that applications for public housing and/or the voucher program will again be accepted. The public notice will state where, when, and how to apply. The notice will be published in a local newspaper of general circulation and also by any available minority media. The public notice will state any limitations as to who may apply. The notice will include the Fair Housing logo and slogan and will be in compliance with Fair Housing requirements.

a person applies for Public Housing (when the Section 8 list is not open), the applicant must complete a separate application for Section 8 when the Voucher Waiting List is open.

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

The CHA will also contact non-profit organizations to inform them of the opportunity to complete a housing application for any program.

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

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

- A. The application will be in each file and be retained in accordance with CHA's document retention policy;
- B. All applications will be maintained in order of bedroom size, category preferences, and then in order of date and time of application; and
- C. Any written contacts or formal meetings between the Columbia Housing Authority and the applicant will be documented in the applicant files.

### **9.3 ORGANIZATION OF THE SECTION 8 WAITING LIST**

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

- A. The application will be in each file and be retained in accordance with CHA's document retention policy;
- B. All applications will be maintained in order of date and time of application. After January 15, 2008, the Authority will utilize a lottery system for selecting applicants from the waiting list. The Authority may also consider preferences when selecting applications from the waiting list (example, preferences for elderly, disabled or homeless).
- C. Any written contacts or scheduled meetings between the Columbia Housing Authority and the applicant will be documented in the applicant files.

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

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

The family will complete a full application, present Social Security number information, citizenship/eligible immigrant information, and sign the Consent for Release of Information forms and other required CHA documents.

### **9.5 PURGING THE WAITING LIST**

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

**9.6 REMOVAL OF APPLICANTS FROM THE WAITING LIST**

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

- A. The applicant requests in writing that their name be removed;
- B. The applicant fails to respond to a written request for appointment, for information or a request to declare their continued interest in the program; or
- C. The applicant does not meet either the eligibility or suitability criteria for the program.
- D. The applicant cannot be reached by mail at the addresses provided by the applicant.
- E. The applicant does not return requested documentation in given time frame.

**9.7 MISSED APPOINTMENTS**

Failure to keep a scheduled appointment with the Columbia Housing Authority will result in termination of the process for eligibility and removal of the application from the waiting list.

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

**9.8 NOTIFICATION OF NEGATIVE ACTIONS**

When an applicant is notified in writing by the CHA of an appointment or request for information, they will be given a time and date to make the appointment or to bring in the requested information. They will also be advised that failure to meet said requirements will result in removal from the Waiting List.

If an applicant claims that their failure to respond to a request for information or updates was caused by a disability, the Columbia Housing Authority will verify that there is in fact a disability and the disability caused the failure to respond, and provide a reasonable accommodation. An example of a reasonable accommodation would be to reinstate the applicant on the waiting list based on the date and time of the original application.

## 10.0 TENANT SELECTION AND ASSIGNMENT PLAN

### 10.1 PREFERENCES FOR ADMISSION

#### A. PREFERENCES

The Columbia Housing Authority will select families based on the following preferences within each bedroom size category:

PUBLIC HOUSING (CHA operates under a HUD-approved site-based waiting list)

- a. Displaced person(s): Individuals or families displaced by government action or whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal Disaster Relief Laws.
- b. All other applicants.

#### SECTION 8

- a. Displaced person(s): Individuals or families displaced by government action or whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal Disaster Relief Laws.
- b. Eligible applicants who have been selected and referred by Section 8 Mod Rehab owners for occupancy in Mode Rehab units vacant over 30 days.
- c. Preferences as determined by Board approved policy.
- c. All other applicants.

Based on the above preferences, all families in preference A will be offered housing before any families in preference B, preference B families will be offered housing before any families in preference C and so on.

The date and time of application (after January 15, 2008 – date only by lottery system for Section 8) will be noted and utilized to determine the sequence within the above-prescribed preferences.

Units Designated for the Elderly: Preference will be given to elderly persons who are sixty-two years of age or older. If there are no elderly families on the list, preference will then be given to near-elderly families. If there are no near-elderly families on the waiting list, units will be offered to families who qualify for the appropriate bedroom size using these priorities. All such families will be selected from the waiting list using the preferences as outlined above.

**Accessible Units:** Accessible units will be first offered to families who may benefit from the accessible features. Applicants for these units will be selected utilizing the same preference system as outlined above. If there are no applicants who would benefit from the accessible features, the units will be offered to other applicants in the order that their names come to the top of the waiting list. Such applicants, however, must sign a release form stating they will accept a transfer (at their own expense) if at a future time, a family requiring an accessible feature applies. Any family required to transfer will be given a 30-day notice.

#### B. EXCEPTIONS FOR SPECIAL ADMISSION

If HUD awards the Columbia Housing Authority program funding that is targeted for specifically named families, the Columbia Housing Authority will admit these families under this procedure.

Special admissions families will be admitted outside of the regular waiting list process. They do not have to qualify for any preferences, nor are they required to be on the program waiting list. The Columbia Housing Authority maintains separate records of these admissions.

The following are examples of types of program funding that may be designated by HUD for families living in a specified unit:

- a. A family displaced because of demolition or disposition of a public housing project;
- b. A family residing in a multifamily rental housing project when HUD sells, forecloses or demolishes the project;
- c. For housing covered by the Low Income Housing Preservation and Resident Homeownership Act of 1990; and
- cl. A family residing in a project covered by a project-based Section 8 HAP contract at or near the end of the HAP contract term.
- e. Exceptions by Executive Director as found in the section 21.2 of this policy.
- f. Thirty-day specials under the MOD program.

#### C. TARGETED FUNDING

When HUD awards special funding for certain family types, families who qualify are placed on the regular waiting list. When a specific type of funding becomes available, the waiting list is searched for the first available family meeting the targeted funding criteria.

Applicants who are admitted under targeted funding which are not identified as a Special Admission are identified by code in an automated system.

The Columbia Housing Authority Section 8 Program has the following "targeted" programs:

- a. Disabled Families
- b. Homeless (3-bedrooms) Families
- c. Single-Room Occupancy (SRO program)
- d. HOPWA (Housing Opportunities for Persons with AIDS)
- e. VASH (Veteran Affairs Supportive Housing)
- f. Permanent Supportive Housing

## ***10.2 ASSIGNMENT OF BEDROOM SIZES***

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

<b>Number of Bedrooms</b>	<b>Number of Persons</b>	
	Minimum	Maximum
0	1	1
1	1	2
2	2	4
3	3	6 (4 at Latimer Manor)
4	4	8 (6 at Latimer Manor)
5	5 (6 in Section 8)	10

These standards are based on the assumption that each bedroom will accommodate no more than two (2) persons. Zero bedroom units will only be assigned to one-person families.

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

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

- A. Children of the same sex will share a bedroom.
- B. Children of the opposite sex may share a bedroom.
- C. Adults and children will not be required to share a bedroom.
- D. Foster – adults and/or foster children will not be required to share a bedroom with adult family members.
- E. Live-in aides will get a separate bedroom.

Exceptions to normal bedroom size standards include the following:

- A. Units smaller than assigned through the above guidelines - A family may request a smaller unit size than the guidelines allow. Persons of different generations, persons of the opposite sex (other than spouses), and unrelated adults, may have separate bedrooms. However, the decision as to where the family members sleep will be left up to the head of household at the time of their initial interview. In Public Housing, the family will not be allowed to transfer to a larger or smaller unit unless the family composition changes.
- B. Units larger than assigned through the above guidelines – A family may request a larger unit size than the guidelines allow. The Columbia Housing Authority will allow the larger size unit if the family provides a verified medical need that the family is housed in a larger unit.
- C. If there are no families on the waiting list for a larger size, smaller families may be housed if they sign a release form stating they will transfer (at the family's own expense) to the appropriate size unit when an eligible family needing the larger unit applies. The family transferring will be given a 30-day notice before being required to move.
- D. Larger units may be offered in order to improve the marketing of a development suffering a high vacancy rate.



### **10.3 SELECTION FROM THE WAITING LIST**

All applicants will complete a pre-application which places them on the waiting list of one or more of three housing programs provided by the Columbia Housing Authority; Public Housing, Mod Rehab and the Section 8 Voucher program.

Families interested in the Public Housing Program have the option of choosing from four categories; Senior Housing, Standard Housing, Cayce Housing and Eastover Housing. If no category is selected by the applicant at time of application, the application will default to the Standard Category.

The application will be placed on the waiting list of the applicant's choice by date, time, bedroom size, application number and any preference for which they may be eligible.

The applicant's name will appear on all programs for which they applied and which are open at the time of application.

When it is anticipated the applicant will be housed within 120 days, the file will be updated. At this time the applicant will affirm their choices.

All information required per the Admissions and Continued Occupancy Policy will be verified and all documents required will be obtained from the applicant and other sources. If it is found that the applicant does not qualify for a category by age, they will be notified promptly in writing. The applicant will be given the opportunity to change their selection of categories if they are no longer eligible due to bedroom size and the bedroom size for their family is not available in the previously selected categories.

All applicants for Public Housing will be subject to meeting the "Standards for Determining Suitability for Public Housing Tenancy as set forth in the Admissions and Continued Occupancy Policy, Section V, paragraph A, B, C. All applicants who have been updated must be approved by the CHA Selection Committee.

Denials for admission to housing will follow Section V, paragraph D (Denying Admission) in the CHA Admissions and Continued Occupancy Policy.

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

1. The Waiting List provides four (4) primary types of housing: Public Housing, Section 8 Voucher, Section 8 Moderate Rehab, and Single Room Occupancy for people who have made applications for housing assistance with the Columbia Housing Authority. Applications of eligible applicants are placed in the files as soon as an application is made. According to availability of assistance, these applicant files are placed in eligible status per the process, when vacant units can be reasonably anticipated within 120 days. These files will be referred for housing.

2. At the time of application, each applicant will indicate if housing assistance is requested in Cayce only. The Cayce category is mentioned specifically due to its uniqueness within the CHA housing inventory. The CHA manages the Cayce Community under contract with the Cayce Housing Authority.
3. At the time of application, each applicant will indicate if housing assistance is requested in Public Housing or Section 8 programs or in all programs that are currently open to new applications. The applicant's name will appear on each list for which he has applied, which is open and for which he is eligible.

The Waiting List will be organized and maintained in a way to easily identify an applicant. The Waiting List will be organized by:

- Program
- Category
- Preference
- Bedroom size and type of unit needed
- Date and Time of application
- Deconcentration of Poverty

Before an application is sent for a housing vacancy, the information in the file of an eligible applicant must be current within 120 days for Public Housing and 60 days for the Section 8 program

When housing is not provided during the applicable period, these applicant files will be updated again.

To maintain a well-balanced pool of eligible files; the Columbia Housing Authority will:

- a. Attempt to maintain a sufficient number and variety of applicants to fill vacancies as they arise.
- b. Attempt to get a broad, social, ethnic, and economic mixture of eligible applicants (for Public Housing only)
- c. Not to seek more applicants than can be served within a reasonable time period.
- d. Develop procedures to identify those applicants who would no longer qualify or are no longer interested in remaining on the Waiting List.

The above objectives will be accomplished through:

- a. Outreach to get additional applicants.
- b. Closing the Waiting List to new applicants.
- c. Updating the Waiting List to remove the names of those who are no longer interested or no longer qualify.

An applicant's name will be removed from the waiting list only if:

- a. The applicant requests in person or in writing that their name be removed from the Waiting List.
- b. The applicant was clearly advised by mail of a requirement to tell the Columbia Housing Authority of its continued interest but has failed to do so.
- c. The applicant has been notified by the Columbia Housing Authority of its intention to remove their name from the Waiting List because they are no longer eligible for housing.
- d. The applicant does not keep an appointment, nor has rescheduled that appointment or cannot be reached by mail, the file will be deleted. The file may be reinstated within a ninety (90) day following failure to keep an appointment or the return of the mail if the applicant had a situation beyond their control at the time of the appointment.
- e. The applicant does not return requested documentation in given time frame.

The following conditions would not be considered a refusal of housing:

- a. The type of available unit for which housing assistance is being offered will not assure the applicant's capability to maintain an independent living condition.
- b. The unit is not of the proper size and type, and the applicant would only be able to reside there only temporarily.
- c. The unit contains lead paint, and accepting the offer could result in subjecting children less than seven years of age to lead paint poisoning.
- d. The applicant is unable to move at the time of the offer and presents clear evidence which substantiates this to the CHA. Examples are:
  - i. A doctor verifies that the applicant has just undergone major surgery and needs a period of time to recuperate.
  - ii. A court testifies that the applicant is serving on a jury which has been sequestered.

- e. An applicant under temporary financial hardship that will be remedied within thirty (30) days will be given a thirty (30) day extension. At the end of the thirty (30) days, another unit will be offered upon availability. His condition must have the Executive Director's approval in writing.

#### METHODS BY WHICH APPLICANTS WILL BE CHOSEN FROM THE WAITING LIST AND OFFERED AVAILABLE HOUSING ASSISTANCE

1. In offering housing assistance in Public Housing, the applicant will be selected in the following order:
  - a. By category selected by the applicant.
  - b. By bedroom size and type of unit.
  - c. By applicants with the earliest application date and time who qualify for a preference.
  - d. By applicants with the earliest date and time who do not qualify for a preference.
  - e. Deconcentration.

#### APPLICANT SELECTION AND ASSIGNMENT

1. Records will be maintained in the applicant folders on all offers, acceptances and refusals, to include location, date and time, the circumstances of each offer and rejections, and other information considered pertinent.
2. When housing is available for new residents, the appropriate staff person will request eligible applicant files from the CHA Applications Department, to consider for housing assistance.
3. After receiving the request, the Applications Department selects the next eligible file, according to the procedures outlined under "Method By Which Applicants will be Chosen from the Waiting List and Offered Available Housing Assistance".
4. After receiving the application, the appropriate staff person will contact the applicant by phone and follow this with a letter setting up an appointment to show the vacant unit. Every effort will be made to contact the applicant.
5. If the applicant accepts the housing offer it will be noted on the contact sheet located in the applicant's file, which unit was offered and accepted with the date of the acceptance.

6. If the applicant refuses the offer of housing assistance, the staff person will document the contact sheet of the applicant's file stating the unit offered by CHA and refused by the applicant, along with the reason given by the applicant for the refusal of a category selected by the applicant. The file will be promptly returned to the Application's Department.
7. Refusal of an offer of housing will be reviewed by the Applications Department. If none of the conditions considered a valid reason for refusal, as set forth in this policy are present, the application will be removed from the Waiting List.

The Columbia Housing Authority shall follow the statutory requirement that at least 40% of newly admitted families in any fiscal year be families whose annual income is at or below 30% of the area median income. To insure this requirement is met we shall quarterly monitor the incomes of newly admitted families and the incomes of the families on the waiting list. If it appears that the requirement to house extremely low-income families will not be met, we will skip higher income families on the waiting list to reach extremely low-income families.

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

#### ***10.4 DECONCENTRATION POLICY IN PUBLIC HOUSING***

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

The Columbia Housing Authority will affirmatively market our housing to all eligible income groups. Lower income residents will not be steered toward lower income developments and higher income people will not be steered toward higher income developments.

Prior to the beginning of each fiscal year, we will analyze the income levels of families residing in each of our communities, the income levels of census tracts in which our communities are located, and the income levels of the families on the waiting list. Based on this analysis, we will determine the level of marketing strategies and deconcentration incentives to implement. This information is available in the Columbia Housing Authority Deconcentration of Poverty plan.

#### ***10.5 DECONCENTRATION INCENTIVES IN PUBLIC HOUSING***

The Columbia Housing Authority may offer one or more incentives to encourage applicant families whose income classification would help to meet the deconcentration goals of a particular community.

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

#### ***10.6 OFFER OF A PUBLIC HOUSING UNIT***

When the Columbia Housing Authority discovers that a unit will become available, we will contact the first family on the waiting list who has the highest priority for this type of unit or development and whose income category would help to meet the deconcentration goal and/or the income targeting goal.

The Columbia Housing Authority will contact the family by mail to make the unit offer. The family will be given five (5) business days from the date the letter was mailed to contact the Columbia Housing Authority regarding the offer.

The family will be offered the opportunity to view the unit. After the opportunity to view the unit, the family will have two (2) business days to accept or reject the unit. This verbal offer and the family's decision must be documented in the tenant file. If the family rejects the offer of the unit, the Columbia Housing Authority will send the family a letter documenting the offer and the rejection.

#### ***10.7 REJECTION OF A PUBLIC HOUSING UNIT***

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

If the Columbia Housing Authority did not skip over other families on the waiting list to reach this family, did not offer any other deconcentration incentive, and the family rejects the unit without good cause, the family's application will be removed from the waiting list.

If the family rejects with good cause any unit offered, they will not lose their place on the waiting list. Good cause includes reasons related to health, proximity to work, school, and childcare (for those working or going to school). The family will be offered the right to an informal review of the decision to alter their application status.

#### ***10.8 ACCEPTANCE OF A PUBLIC HOUSING UNIT***

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

No family will be housed if they have not attended the Lease and Occupancy Orientation and have not been approved by the Selection Committee process. Applicants who provide prior notice of an inability to attend either process will be rescheduled. Failure of an applicant to attend either the Lease and Occupancy Orientation or the Selection process, without good cause, may result in the cancellation of the occupancy process and withdrawal from the waiting list.

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

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

The family will pay a security deposit at the time of lease signing. The security deposit will be equal to a set amount based on bedroom size determined by the CHA and approved by the Columbia Housing Authority Board of Commissioners

The Columbia Housing Authority reserves the right to allow a new resident to pay their security deposit in up to four (4) payments. One half shall be paid in advance, one-sixth with their second rent payment, one sixth with their third rent payment and one-sixth with their fourth rent payment. This shall be at the sole discretion of the Housing Authority.

In the case of a move within public housing, the security deposit for the first unit will be transferred to the second unit. Additionally, if the security deposit for the second unit is greater than that for the first, the difference will be collected from the family. Conversely, if the security deposit is less, the difference will be refunded to the family at the sole discretion of the manager.

In the event there are costs attributable to the family for bringing the first unit into condition for re-renting, the family shall be billed and responsible to pay for these charges.

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

To determine annual income, the Columbia Housing Authority counts the income of all

family members, except the types and sources of income that are specifically excluded as identified in this policy and by law. Once the annual income is determined, the Columbia Housing Authority subtracts all allowable deductions (allowances) to determine the Total Tenant Payment.

### ***11.1 INCOME***

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

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

Annual income includes, but is not limited to:

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



other similar types of periodic receipts, including a lump-sum amount or prospective monthly amounts for the delayed start of a periodic amount (However, deferred periodic amounts from supplemental security income and Social Security benefits that are received in a lump sum amount or in prospective monthly amounts are excluded.)

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

- I. The portion of any athletic scholarship assistance available for housing costs will be verified by the CHA with the third party income source and included in the determination of family adjusted income.

## **11.2 EXCLUDED/ANNUAL INCOME**

Annual income does not include the following:

- A. Income from employment of children (including foster children) under the age of 18 years;
- B. Payments received for the care of foster children or foster adults (usually persons with disabilities, unrelated to the tenant family, who are unable to live alone);
- C. Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains, and settlement for personal or property losses;
- D. Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member;
- E. Income of a live-in aide;
- F. The full amount of student financial assistance paid directly to the student or to the educational institution;
- G. The special pay to a family member serving in the Armed Forces who is exposed to hostile fire;
- H. The amounts received from the following programs:
  1. Amounts received under training programs funded by HUD;
  2. Amounts received by a person with a disability that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS);
  3. Amounts received by a participant in other publicly assisted programs that are specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) and that are made solely to allow participation in a specific program;
  4. Amounts received under a resident service stipend. A resident service stipend is a modest amount (not to exceed \$200 per month) received by a resident for performing a service for the Housing Authority or owner, on a

part-time basis, that enhances the quality of life in the development. Such services may include, but are not limited to, fire patrol, hall monitoring, lawn maintenance, and resident initiatives coordination. No resident may receive more than one such stipend during the same period of time;

5. Incremental earnings and benefits resulting to any family member from participation in qualifying State or local employment training programs (including training programs not affiliated with a local government) and training of a family member as resident management staff. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives and are excluded only for the period during which the family member participates in the employment training program;
6. Temporary, nonrecurring or sporadic income (including gifts);
7. Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era;
8. Earnings in excess of \$480 for each full-time student 18 years old or older (excluding the head of household and spouse);
9. Adoption assistance payments in excess of \$480 per adopted child;
10. For family members who enrolled in certain training programs prior to 10/1/99, the earnings and benefits resulting from the participation if the program provides employment training and supportive services in accordance with the Family Support Act of 1988, Section 22 of the 1937 Act (42 U.S.C. 1437t), or any comparable Federal, State, or local law during the exclusion period. For purposes of this exclusion the following definitions apply:
  - a. Comparable Federal, State or local law means a program providing employment training and supportive services that meet all of the following conditions:
    - i. Is authorized by a Federal, State or local law;
    - ii. Is funded by the Federal, State or local government;
    - iii. Is operated or administered by a public agency; and
    - iv. Has as its objective to assist participants in acquiring employment skills.
  - b. Exclusion period means the period during which the family member participates in a program described in this section, plus 18 months from the date the family member begins the first job

acquired by the family member after completion of such program that is not funded by public housing assistance under the 1937 Act. If the family member is terminated from employment with good cause, the exclusion period shall end.

- c. Earnings and benefits mean the incremental earnings and benefits resulting from a qualifying employment training program or subsequent job.
11. The incremental earnings due to employment during the 12-month period following date of hire shall be excluded. Additionally, beginning the 13<sup>th</sup> month, the tenant's Earned Income Disregard will continue at 50% up through the 24 month. Effective May, 1, 2016, the maximum period for the Earned Income Disregard is a straight 24-months period with a clear start date and end date, irrespective of whether a family maintains continued employment during the 24-month period. Families enrolled in the Earned Income Disregard prior to May 1, 2016, will remain on the previous guidance, with a 48-month maximum. This exclusion (paragraph 11) will not apply for any family who concurrently is eligible for exclusion #10. Additionally, this exclusion is only available to the following families:
- a. Families whose income increases as a result of employment of a family member who was previously unemployed for one or more years.
  - b. Families whose income increases during the participation of a family member in any family self-sufficiency program.
  - c. Families who are or were, within 6 months, assisted under a State TANF Program.

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

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

and equipment needed to keep the developmentally disabled family member at home; or

15. Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits. These exclusions include:
  - a. The value of the allotment of food stamps.
  - b. Payments to volunteers under the Domestic Volunteer Services Act of 1973.
  - c. Payments received under the Alaska Native Claims Settlement Act.
  - d. Income from sub marginal land of the U.S. that is held in trust for certain Indian tribes.
  - g. Payments made under HHS's Low-Income Energy Assistance Program.
  - f. Payments received under the Job Training Partnership Act/Workforce Investment Act of 1998.
  - g. Income from the disposition of funds of the Grand River Band of Ottawa Indians.
  - h. The first \$2000 per capita received from judgment funds awarded for certain Indian claims.
  - i. Amount of scholarships awarded under Title IV including Work-Study.
  - J. Payments received under the Older Americans Act of 1965.
  - k. Payments from Agent Orange Settlement.
  - l. Payments received under the Maine Indian Claims Act.
  - m. The value of child care under the Child Care and Development Block Grant Act of 1990.
  - n. Earned income tax credit refund payments.
  - o. Payments for living expenses under the AmeriCorps Program.
  - p. Additional income exclusions provided by and funded by the Columbia Housing Authority.
  - q. Payments/Benefits received from the Medicare Prescription discount card or the transitional assistance program.

The Columbia Housing Authority will not provide exclusions from income in addition to those already provided for by HUD.

### **11.3 DEDUCTIONS FROM ANNUAL INCOME**

The following deductions will be made from annual income:

- A. \$480 for each dependent;
- B. \$400 for any elderly family or disabled family;
- C. For any family that is not an elderly or disabled family but has a member (other than the head or spouse) who is a person with a disability, disability assistance expenses in excess of 3% of annual income. This allowance may not exceed the employment income received by family members who are 18 years of age or older as a result of the assistance to the person with disabilities.
- D. For any elderly or disabled family:
  1. That has no disability assistance expenses, an allowance for medical expenses equal to the amount by which the medical expenses exceed 3% of annual income;
  2. That has disability expenses greater than or equal to 3% of annual income, an allowance for disability assistance expenses computed in accordance with paragraph C, plus an allowance for medical expenses that equal the family's medical expenses;
  3. That has disability assistance expenses that are less than 3% of annual income, an allowance for combined disability assistance expenses and medical expenses that is equal to the total of these expenses less 3% of annual income.
- E. Child care expenses that are reasonable based on local market rates.

## **12.0 VERIFICATION**

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

## ***12.1 ACCEPTABLE METHODS OF VERIFICATION***

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

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

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

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

Use of HUD's system will also be mandatorily used as third party verification.

The use of lower level verification methods will place a higher burden on the CHA to justify its use of that particular verification method rather than a higher level of verification methods. CHA may be required to provide documentation for each case.

## ***12.2 TYPES OF VERIFICATION***

The following chart provides a verification hierarchy and verification techniques to be followed in the administration of any qualifying events; such as: initial move-in, annual reexaminations, and interim reexaminations.

If the Income Report does not contain any employment and income information for the family, the PHA should attempt the next lower level verification technique, as noted in the below chart.

<b>Level</b>	<b>Verification Technique</b>	<b>Ranking</b>
6	Upfront Income (UIV) using HUD's Enterprise system (not available for income verification of applicants)	Highest (Mandatory)
5	Upfront Income Verification (UIV) using non-HUD system	<b>Highest</b> (Optional)
4	Written Third Party Verification	<b>High</b> (Mandatory to supplement EIV-reported income sources and when EIV has income sources; Mandatory when tenant disputed EIV-reported employment and income information and is unable to provide acceptable documentation to support dispute).
3	Written Third Party Verification Form	<b>Medium-Low</b> (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	<b>Low</b> (Mandatory if written third party verification is not available)
1	Tenant Declaration	<b>Low</b> (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 Technique Definitions**

### **Third Party Verification Techniques**

**Upfront Verification (UIV) (Level 6/5):** The Verification of income before or during a family reexamination, through an independent source that systematically and uniformly maintains income information in computerized form for a number of individuals.

It should be noted that the EIV system is available to all PHAs as a UIV technique. PI-IAs are encouraged to continue using other non-HUD UIV tools, such as The Work Number (an automated verification system) and state government databases, to validate tenant-reported income.

**Oral Third Party Verification (Level 2):** Independent verification of information by contacting the individual income/expense source(s), as identified through the UIV technique or identified by the family, via telephone or in-person visit. PI-IA staff should document in the tenant file, the date and time of the telephone call (or visit to the third party), the name of the person contacted and telephone number, along with the confirmed information.

This verification method is commonly used in the event that the independent source does not respond to the PHA's faxed, mailed, or e-mailed request for information in a reasonable time frame, i.e., ten (10) business days.

### **Non Third Party Verification Technique**

**Tenant Declaration (Level 1):** The tenant submits an affidavit or notarized statement of reported income and/or expenses to the PHA. This verification method should be used as a last resort when the PHA has not been successful in obtaining information via all other verification techniques. When the PHA relies on tenant declaration, the PHA must document in the tenant file why third party verification was not available.

### **Exceptions to Third Party Verification Requirements**

HUD is aware that in some situations, third party verification is not available for a variety of reasons. Oftentimes, the PHA may have made numerous attempts to obtain the required verifications with no success, or it may not be cost effective to obtain third party verification of income, assets, or expenses, when the impact on total tenant payment is minimal. In these cases, the PHA is **required to document in the family files the reason(s) why third party verification was not available.**

The exception to third party verification can be found at CFR §960.259(c)(1) and §982.516(a)(2), which states, "The PHA must obtain and document in the family file third party verification of the following factors, **or must document in the file why third party verification was not available.**"

### **Third Party Verification Requirements**

In accordance with 24 CFR §960.259(c)(1) and 24 CFR §982.516(a)(2) for the Public Housing and HCV programs, respectively, the PHA must obtain and document in the tenant file third

party verification of the following factors, or must document in the tenant file why third party verification was not available; (i) reported family annual income; (ii) the value of assets; (iii) expenses related to reductions from annual income; and (iv) other factors that affect the determination of adjusted income.

The Columbia Housing Authority will verify, via third party verification, housing cost included in Athletic Scholarships of students attending institutions of higher education, which will be used in the determination of family adjusted income.

**Written Third Party Verification (Level 4):** An original or authentic document generated by a third party source dated with or within the 60-day period preceding the reexamination or PHA request date. Such documentation may be in the possession of the tenant (or applicant), and is commonly referred to as tenant-provided documents. It is the Department's position that such tenant-provided documents are written third party verification since these documents originated from a third party source. The PHA may, at its discretion, reject any tenant-provided documents and follow up directly with the source to obtain necessary verification of information.

Examples of acceptable tenant-provided documentation (generated by a third party source) include, but are not limited to: Pay stubs, payroll summary reports, employed notice/letter of hire/termination, SSA benefit verification letter, bank statements, child support payment stubs, welfare benefit letters and/or printouts, and unemployment monetary benefit notices. Current acceptable tenant-provided documents must be used for income and rent determinations.

The PHA is required to obtain at a minimum, two current and consecutive pay stubs for determining annual income from wages. For new income sources, or when two pay stubs are not available, the PHA should project income based on the information from a traditional third party verification form or the best available information.

Note: Documents older than 60 days (from the PHA interview/determination or request date) is acceptable for confirming effective dates of income.

Written Third Party Verification Form (Level 3): Also known as traditional third party verification is a standardized form to collect information from a third party source. The third party completes the form by hand (in writing or typeset). The PHA will send the form directly to the third party source by mail, fax, or email.

It is the Department's position that the administrative burden and risk associated with use of the traditional third party verification form may be reduced by PHAs relying on acceptable documents that are generated by a third party, but in the possession of and provided by the tenant (or applicant). Many documents in the possession of the tenant are derived from third party sources (i.e., employers, federal, state and/or local agencies, banks, etc.)

The Department recognizes that third party verification request forms sent to third party sources often are not returned. In other instances, the person who completes the verification form may provide incomplete information; or some tenants may collude with the third party source to provide false information; or the tenant intercepts the form and provides false information.

The Department requires PHAs to rely on documents that originate from a third party source's computerized system and/or database, as this process reduces the likelihood of incorrect or falsified information being provided on the third party verification request form. The use of acceptable tenant provided documents, which originate from a third party source, will improve the integrity of information used to determine a family's income and rent and ultimately reduce improper subsidy payments. This verification process will also streamline the income verification process.

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

The citizenship/eligible non-citizen status of each family member regardless of age must be determined.

Prior to being admitted, or at the first reexamination, all citizens and nationals will be required to sign a declaration under penalty of perjury. They will be required to show

proof of their status by such means as a Social Security card, birth certificate, military ID, or military DD 214 Form.

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

Prior to being admitted or at the first reexamination, all eligible non-citizens must sign a declaration of their status and a verification consent form and provide their original INS documentation. The Columbia Housing Authority will make a copy of the individual's INS documentation and place the copy in the file. The Columbia Housing Authority will also verify their status through the INS SAVE system. If the INS SAVE system cannot confirm eligibility, the Columbia Housing Authority will mail information to the INS in order that a manual check can be made of INS records.

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

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

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

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

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

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

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

Prior to admission, each family member must provide verification of their Social Security number. New family members must provide this verification prior to being added to the lease.

The best verification of the Social Security number is the original Social Security card. If the card is not available, the Columbia Housing Authority will accept letters from the

Social Security Agency that establishes and states the number. Documentation from other governmental agencies will also be accepted that establishes and states the number. Driver's licenses, military IDs, passports, or other official documents that establish and state the number are also acceptable.

If an individual states that they do not have a Social Security number, they will be required to obtain a Social Security number.

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

If a member of a tenant family indicates they have a Social Security number, but cannot readily verify it, they shall be asked to certify to this fact and shall have up to ninety (90) days to provide the verification. If the individual is at least 62 years of age, they will be required to provide a Social Security number. If the individual fails to provide the verification within the time allowed, the family will be evicted.

#### ***12.5 TIMING OF VERIFICATION***

Verification information must be dated within 120 days for both public housing and Section 8 for certification or reexamination. If the verification is older than this, the source will be contacted and asked to provide information regarding any changes. For issuance of a new voucher verification cannot exceed 60 days.

When an interim reexamination is conducted, the Housing Authority only verify and update those elements reported to have changed. However, the Columbia Housing Authority has the discretion to verify and update all information related to family circumstances and level of assistance.

#### ***12.6 FREQUENCY OF OBTAINING VERIFICATION***

For each family member, citizenship/eligible non-citizen status will be verified only once. This verification will be obtained prior to admission. If the status of any family member was not determined prior to admission, verification of their status will be obtained at the next regular reexamination. Prior to a new member joining the family, their citizenship/eligible non-citizen status will be verified.

For each family member, verification of Social Security number will be obtained only once. This verification will be accomplished prior to admission.

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

#### ***13.1 FAMILY CHOICE***

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

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

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

The total tenant payment is equal to the highest of:

- A. 10% of monthly income; or
- B. 30% of adjusted monthly income.

The family will pay the greater of the total tenant payment or the minimum rent of \$50.

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

### ***13.3 MINIMUM RENT***

The Columbia Housing Authority has set the minimum rent at \$50. However if the family requests a hardship exemption, the Columbia Housing Authority will immediately suspend the minimum rent for the family until the Housing Authority can determine whether the hardship exists and whether the hardship is of a temporary or long-term nature.

- A. A hardship exists in the following circumstances:

1. When the family has lost eligibility for or is waiting an eligibility determination for a Federal, State, or local assistance program;
  2. When the family would be evicted as a result of the imposition of the minimum rent requirement;
  3. When the income of the family has decreased because of changed circumstances, including loss of employment;
  4. When the family has an increase in expenses because of changed circumstances, for medical costs, childcare, transportation, education, or similar items;
  5. When a death has occurred in the family.
- B. No hardship. If the Housing Authority determines there is no qualifying hardship, the minimum rent will be reinstated, including requiring back payment of minimum rent for the time of suspension.
- C. Temporary hardship. If the Housing Authority reasonably determines that there is a qualifying hardship but that it is of a temporary nature, the minimum rent will not be imposed for a period of 90 days from the date of the family's request. At the end of the 90-day period; the minimum rent will be imposed retroactively to the time of suspension. The Housing Authority will offer a repayment agreement in accordance with the Section 19 of this policy for any rent not paid during the period of suspension. During the suspension period the Housing Authority will not evict the family for nonpayment of the amount of tenant rent owed for the suspension period.
- D. Long-term hardship. If the Housing Authority determines there is a long-term hardship, the family will be exempt from the minimum rent requirement until the hardship no longer exists.
- E. Appeals. The family may use the grievance procedure to appeal the Housing Authority's determination regarding the hardship. No escrow deposit will be required in order to access the grievance procedure.

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

Flat rents are currently set at 80% of the Fair Market rents per HUD guidance. The Columbia Housing Authority has set a flat rent for each public housing unit. The amount of the flat rent will be re-evaluated annually and adjustments applied. Affected families will be given a 30-day notice of any rent change. Adjustments are applied on the anniversary date for each affected family (for more information on flat rents, see Section 15.3).

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

**Currently the Columbia Housing Authority does not have any Ceiling rents. If in the future we decide to use Ceiling Rents,** the Columbia Housing Authority will post the ceiling rents at each of the developments and at the central office and are incorporated in this policy upon approval by the Board of Commissioners.

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

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

- A. The family was receiving assistance on June 19, 1995;
- B. The family was granted continuation of assistance before November 29, 1996;
- C. The family's head or spouse has eligible immigration status; and
- D. The family does not include any person who does not have eligible status.

If a mixed family qualifies for prorated assistance but decides not to accept it, or if the family has no eligible members, the family may be eligible for temporary deferral of termination of assistance to permit the family additional time for the orderly transition of some or all of its members to locate other affordable housing. Under this provision, the family receives full assistance. If assistance is granted under this provision prior to November 29, 1996, it may last no longer than three (3) years. If granted after that date, the maximum period of time for assistance under the provision is eighteen (18) months. The Columbia Housing Authority will grant each family a period of six (6) months to find suitable affordable housing. If the family cannot find suitable affordable housing, the Columbia Housing Authority will provide additional search periods up to the maximum time allowable.

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

The family's assistance is based on the established Flat rent applicable to the unit to calculate rent for mixed families. When the total tenant payment (TTP) exceeds the flat rent, the mixed family's payment will be equivalent to the TTP.

### ***13.6 UTILITY ALLOWANCE***

The Columbia Housing Authority shall establish a utility allowance for all check-metered



utilities and for all tenant-paid utilities. The allowance will be based on a reasonable consumption of utilities by an energy-conservative household of modest circumstances consistent with the requirements of a safe, sanitary, and healthful environment. In setting the allowance, the Columbia Housing Authority will review the actual consumption of tenant families as well as changes made or anticipated due to modernization (weatherization efforts, installation of energy-efficient appliances, etc.). Allowances will be evaluated at least annually as well as any time utility rate changes by 10% or more since the last revision to the allowances.

A reasonable Utility Allowance will be included in the flat rents, per HUD guidance PIH-2015-13 (HA).

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

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

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

Families with high utility costs are encouraged to contact the Columbia Housing Authority for an energy analysis. The analysis may identify problems with the dwelling unit that once corrected will reduce energy costs. The analysis can also assist the family in identifying ways they can reduce their costs.

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

### **13.7 PAYING RENT**

Rent and other charges are due and payable on the first day of the month. Rent can be paid at the following locations:

1. Any management office or Central Office during regular business hours;
2. Any CHA drop box (24 hrs. a day) - see management for locations;
3. By mail
4. By credit card
5. Online at [www.chasc.org](http://www.chasc.org)

Reasonable accommodations for this requirement will be made for persons with disabilities. As a safety measure, no cash shall be accepted as a rent payment

If the rent is not paid by the third of the month, a Late Notice will be issued to the tenant. If the rent is not paid by the tenth of the month, 10% of the net rent will be assessed to the tenant as a late charge, unless fee is waived by the manager. If rent is paid by a personal check and the check is returned for insufficient funds, this shall be considered a non-payment of rent and will incur the late charge plus processing costs, as posted by the Columbia Housing Authority.

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

### **14.1 GENERAL**

In order to be eligible for continued occupancy, each adult family member must either (1) contribute eight (8) hours per month of community service (not including political activities) in the Midlands) or (2) participate in an economic self-sufficiency program unless they are exempt from this requirement. All activities must be approved by the CHA.

### **14.2 EXEMPTIONS**

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

- A. Age 62 years or older.
- B. Blind or disabled (as defined under 216 or 1614 of the Social Security Act 42 U.S.C. 416; 1382) and who certify that because of this disability they are unable to comply with the service provisions or primary caretakers of such individuals.
- C. Engaged in work activities as defined in section 407 (c) of the Social Security Act 42 U.S.C. 607 (d), specified below:
  1. Unsubsidized employment
  2. Subsidized private-sector employment
  3. Subsidized public-sector employment

4. Work experience (including work associated with the refurbishing of publicly assisted housing) if sufficient private sector employment is not available.
  5. On-the-job-training
  6. Job-search and job-readiness assistance
  7. Community service programs
  8. Vocational educational training (not to exceed 12 months with respect to any individual)
  9. Job-skills training directly related to employment
  10. Education directly related to employment in the case of a recipient who has not received a high school diploma or an equivalency
  11. Satisfactory attendance at secondary school or in a course of study leading to a certificate of a general equivalence, in case of a recipient who has not completed secondary school or received such a certificate
  12. The provision of childcare services to an individual who is participating in a community service program.
- F. Individuals exempted from work activities by a state program funded under the Social Security Act or by any other state welfare program.
- G. Individuals receiving assistance who have not been found to be in noncompliance with state or TANF requirements.

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

Initial notice of the community service requirement will be provided to all applicants at the time of application. The Columbia Housing Authority shall identify all adult family members who are apparently not exempt from the community service requirement.

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

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

#### **14.4 VOLUNTEER OPPORTUNITIES**

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

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

The Columbia Housing Authority will coordinate with social service agencies, local schools, and the Residents Executive Council (REC) in identifying a list of volunteer community service positions.

#### **14.5 THE PROCESS**

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

- A. Provide a list of volunteer opportunities to the family members.
- B. Provide information about obtaining suitable volunteer positions. Effective May 1, 2016, Tenants who are required to perform community service, may self-certify their compliance by providing volunteer experiences as required. However, any tenants who self-certify may be subject to periodic validation.
- C. Assign family members to a case manager who will assist the family members in identifying appropriate volunteer positions and in meeting their responsibilities. The case manager will track the family member's progress routinely and will meet with the family member as needed to best encourage compliance.
- D. Thirty (30) days before the family's next lease anniversary date, the case manager and the manager will advise the Columbia Housing Authority whether each applicable adult family member is in compliance with the community service requirement.

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

The Columbia Housing Authority will notify any family non-compliant of the following:

- A. The family member(s) has been determined to be in noncompliance;

- B. That the determination is subject to the grievance procedure; and
- C. That, unless the family member(s) enter into an agreement to comply, the lease will not be renewed or will be terminated;

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

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

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

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

#### **14.8 GUESTS**

Columbia Housing Authority public housing residents cannot provide accommodations for boarders, lodgers or house guests for more than two weeks.

### **15.0 RECERTIFICATIONS**

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

#### **15.1 GENERAL**

The Columbia Housing Authority will send a notification letter to the family letting them know that it is time for their annual reexamination, giving them the option of selecting either the flat rent or formula method, and scheduling an appointment to meet with the manager. The letter includes a list of information families need to bring in preparation for the interview. The letter includes instructions permitting the family to reschedule the interview if necessary. The letter tells families who may need to make alternate arrangements due to a disability that they may contact staff to request an accommodation

of their needs. At the appointment, the family will make their decision regarding which rent method they will choose.

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

### **15.2 MISSED APPOINTMENTS**

If the family fails to respond to the letter and fails to attend the interview, a second letter will be mailed. The second letter will advise of a new time and date for the interview, allowing for the same considerations for rescheduling and accommodation as above. The letter will also advise that failure by the family to attend the second scheduled interview will result in the Columbia Housing Authority taking eviction actions against the family.

### **15.3 FLAT RENTS**

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

- A. Each year at the time of the annual reexamination, the family has the option of selecting a flat rent amount in lieu of completing the reexamination process and having their rent based on the formula amount.
- B. The amount of the flat rent
- C. A fact sheet about formula rents that explains the types of income counted, the most common types of income excluded, and the categories of allowances that can be deducted from income.
- D. Families who opt for the flat rent will be required to go through the income reexamination process every three years. However, the manager has the right to reexamine residents, who pay flat rents, when he/she deems necessary.
- E. Families who opt for the flat rent may request to have a reexamination and return to the formula based method at any time for any of the following reasons:
  1. The family's income has decreased.
  2. The family's circumstances have changed increasing their expenses for child care, medical care, etc.
  3. Other circumstances creating a hardship on the family such that the formula method would be more financially feasible for the family.
- F. The dates upon which the Columbia Housing Authority expects to review the

amount of the flat rent, the approximate rent increase the family could expect, and the approximate elate upon which a future rent increase could become effective.

- G. The name and phone number of an individual to call to get additional information or counseling concerning flat rents.
- H. A certification for the family to sign accepting or declining the flat rent.

At re-examination, the Columbia Housing Authority will offer the choice between a flat or a formula rent. The opportunity to select the flat rent is available at Re-examination and at exhaustion of Earned Income Disallowances (EID), if flat rent was in effect at the time just prior to EID. At the appointment, the Columbia Housing Authority may assist the family in identifying the rent method that would be most advantageous for the family.

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

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

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

The total tenant payment is equal to the highest of:

- A. 10% of monthly income;
- B. 30% of adjusted monthly income; or
- C. The welfare rent.

The family will pay the greater of the total tenant payment or the minimum rent of **\$50** but never more than the ceiling rent.

#### **15.5 EFFECTIVE DATE OF RENT CHANGES FOR ANNUAL RE-EXAMINATIONS**

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

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

Interim reductions become effective the first of the month following that which the reduction in income occurs.

#### **15.6 INTERIM RE-EXAMINATIONS**

During an interim re-examination, all information affected by the changes being reported will be reviewed and verified.

Families are required to report the following changes to the Columbia Housing Authority between regular re-examinations. If the family's rent is being determined under the formula method, these changes will trigger an interim re-examination. The family shall report these changes within ten (10) days of their occurrence.

- A. A member has been added to the family through birth or adoption or court-awarded custody.
- B. A household member is leaving or has left the family unit.

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

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

#### **15.7 SPECIAL REEXAMINATIONS/HARDSHIPS**

If a family's income is too unstable to project for twelve (12) months, including families that temporarily have no income (0 renters) or have a temporary decrease in income, the Columbia Housing Authority may schedule special reexaminations every thirty (30) days until the income stabilizes and an annual income can be determined.



### **15.8 *EFFECTIVE DATE OF RENT CHANGES DUE TO INTERIM OR SPECIAL RE-EXAMINATIONS***

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

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

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

## **16.0 UNIT TRANSFERS**

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

The objectives of the Transfer Policy include the following:

- A To address emergency situations.
- B. To address medical and health situations.
- C. To fully utilize available housing resources while avoiding overcrowding or overhousing by insuring that each family occupies the appropriate size unit.
- D. To facilitate relocation when required for modernization or other management purposes.
- E. To facilitate relocation of families with inadequate housing accommodations.
- F. To provide an incentive for families to assist in meeting the Columbia Housing Authority's deconcentration goal.
- G. To eliminate vacancy loss and other expense due to unnecessary transfers.
- H. To move a non-handicapped family from handicapped housing.

### **16.2 *PRIORITIES OF TRANSFERS***

Priority 1: Emergency transfers. These transfers are necessary when conditions pose an

immediate threat to the life, health, or safety of a family or one of its members. Such situations may involve defects of the unit or the building in which it is located, a hate crime, the safety of witnesses to a crime, or a law enforcement matter particular to the neighborhood.

Priority 2: Immediate administrative transfers. These transfers are necessary in order to permit a family needing accessible features to move to a unit with such a feature or to enable modernization work to proceed.

Priority 3: Regular administrative transfers. These transfers are made to offer incentives to families willing to help meet certain Columbia Housing Authority occupancy goals, to connect occupancy standards where the unit size is inappropriate for the size and composition of the family, to allow for non-emergency but medically advisable transfers, and other transfers approved by the Columbia Housing Authority when a transfer is the only or best way of solving a serious problem.

Priority 4: Other administrative transfers. These transfers offer incentives to families through the category-based waiting list and the homeownership program.

### **16.3 DOCUMENTATION**

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

### **16.4 INCENTIVE TRANSFERS**

Transfer requests will be encouraged and approved for families who live in a development where their income category (below or above 30% of area median) predominates and wish to move to a development where their income category does not predominate.

Families living in multifamily developments have the opportunity to transfer to scattered-site housing. Families approved for such transfers will meet the following eligibility criteria:

- A. Have been a tenant for three years;
- B. For a minimum of one year, at least one adult family member is enrolled in an economic self-sufficiency program or is working at least thirty-five (35) hours per week;
- C. The family is current in the payment of all charges owed the Columbia Housing Authority and has not paid late rent for at least one year;
- D. The family passes a current housekeeping inspection and does not have any

record of housekeeping problems during the last year;

- E. The family has not materially violated the lease over the past two years by disturbing the peaceful enjoyment of their neighbors, by engaging in criminal or drug related activity, or by threatening the health or safety of tenants or Housing Authority staff.

## **16.5 PROCESSING TRANSFERS**

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

Transfers in Priorities 1 and 2 will be housed ahead of any other families, including those on the applicant waiting list. Transfers in Priority 1 will be housed ahead of transfers in Priority 2 and Priority 3.

Transfers in Priority 4 will be housed along with applicants for admission.

Upon offer and acceptance of a unit, the family will execute all lease up documents and pay any rent and/or security deposit within two (2) days of being informed the unit is ready to rent. The family will be allowed three (3) days to complete a transfer. The family will be responsible for paying rent at the old unit as well as the new unit if the family fails to move in the three-day period. The prorated rent and other (including any additional security deposit owing) must be paid the first of the following month or as determined by the manager.

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

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

deconcentration incentives. After turning down a second such offer without good cause, the family's name will be removed from the transfer list.

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

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

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

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

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

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

#### **16.7 TENANTS IN GOOD STANDING**

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

#### **16.8 TRANSFER REQUESTS**

A tenant may request a transfer at any time by completing a transfer request form. In considering the request, the Columbia Housing Authority may request a meeting with the tenant to better understand the need for transfer and to explore possible alternatives. The Columbia Housing Authority will review the request in a timely manner and if a meeting

is desired, it shall contact the tenant within ten (10) business days of receipt of the request to schedule a meeting.

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

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

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

#### *16.9 RIGHT OF THE COLUMBIA HOUSING AUTHORITY IN TRANSFER POLICY*

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

### **17.0 INSPECTIONS**

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

#### *17.1 MOVE-IN INSPECTIONS*

The Columbia Housing Authority and the head of household will inspect the unit prior to signing the lease. Both parties will sign a written statement of the condition of the unit. A copy of the signed inspection will be given to the family and the original will be placed in the tenant's file.

#### *17.2 ANNUAL INSPECTIONS*

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

#### *17.3 PREVENTATIVE MAINTENANCE INSPECTIONS*

This is generally conducted along with the annual inspection. This inspection is intended to keep items in good repair. It checks weatherization; checks the condition of the smoke

detectors, water heaters, furnaces, automatic thermostats and water temperatures; checks for leaks; and provides an opportunity to change furnace filters and provide other minor servicing that extends the life of the unit and its equipment.

The Columbia Housing Authority will also perform routine pest control treatments.

#### *17.4 SPECIALINSPECTIONS*

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

#### *17.5 HOUSEKEEPING INSPECTIONS*

Generally, at the time of the Housing Quality and Standard Inspection (HQS), or at other times as necessary, the Columbia Housing Authority will conduct a housekeeping inspection to ensure the family is maintaining the unit in a safe and sanitary condition.

#### *17.6 NOTICE OF INSPECTION*

For inspections defined as annual inspections, preventative maintenance inspections, special inspections, Housing Quality and Standard Inspections and housekeeping inspections the Columbia Housing Authority will give the tenant at least two (2) days written notice.

#### *17.7 EMERGENCY INSPECTIONS*

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

#### *17.8 PRE-MOVE-OUTINSPECTIONS*

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

#### *17.9 MOVE-OUT INSPECTIONS*

The Columbia Housing Authority conducts the move-out inspection after the tenant vacates to assess the condition of the unit and determine responsibility for any needed

repairs. When possible, the tenant is notified of the inspection and is encouraged to be present. This inspection becomes the basis for any claims that may be assessed against the security deposit.

## **18.0 PET POLICY**

### **18.1 EXCLUSIONS**

This policy does not apply to animals that are used to assist persons with disabilities. Assistive animals are allowed in all public housing facilities with no restrictions other than those imposed on all tenants to maintain their units and associated facilities in a decent, safe, and sanitary manner and to refrain from disturbing their neighbors.

### **18.2 PETS IN ELDERLY HOUSING**

The Columbia Housing Authority will allow for pet ownership in projects or buildings. However, due to limited structural and ground accommodations, ownership of dogs is prohibited in the following buildings:

- A. Marion Street High-rise
- B. Arrington Manor
- C. Oak-Read High-rise
- D. Rosewood Hills Senior High-rise

### **18.3 APPROVAL**

Residents must have the prior approval of the community manager before moving a pet into their unit. Residents must request approval on the Columbia Housing Authority Authorization for Pet Ownership Form that must be fully completed before the Housing Authority will approve the request. A photo of the pet will be taken and placed in the resident's file. The manager will schedule the resident to attend a Pet Ownership orientation class. Failure to attend the class will result in immediate denial for pet ownership.

If the request is denied, the resident may request an appeal through the Director of Public Housing.

### **18.4 TYPES AND NUMBER OF PETS**

The Columbia Housing Authority will allow only certain domesticated dogs, cats, birds, and fish in units. No animal may exceed 20 pounds in weight. All dogs and cats must be neutered.

The following animals will not be allowed in public housing units:

- rodents
- snakes, reptiles and arachnids
- pigs, rabbits and ferrets

- wild fowl
- the following breeds of dog: chow, pit bull, Doberman pincher, and German shepherd
- non-domesticated dogs or any that are part wolf
- any animal outlawed by the City of Columbia
- any animal deemed to be potentially harmful to the health or safety of others, including attack or fight trained dogs;

Only one (1) pet per unit is allowed, except for fish and visiting pets (see Section 18.10).

#### *18.5 INOCULATIONS*

In order to be registered, pets must be appropriately inoculated against rabies and other conditions prescribed by local ordinances. The resident must provide proper documentation from a veterinarian of the procedure. If the pet is not old enough to be neutered, the resident must provide proper documentation from a veterinarian indicating when the procedure will be available.

#### *18.6 PET DEPOSIT*

A pet deposit of \$150 is required at the time of registering a pet. The Columbia Housing Authority will waive the pet deposit for fish tanks under 20 gallons. This fee must be paid in full when the pet is acquired. The deposit is refundable when the pet or the family vacates the unit, less any amounts owed due to damage beyond normal wear and tear.

#### *18.7 FINANCIAL OBLIGATION OF RESIDENTS*

Any resident who owns or keeps a pet in their dwelling unit will be required to pay for any damages caused by the pet. Also, any pet-related insect infestation in the pet owner's unit will be the financial responsibility of the pet owner and the Columbia Housing Authority reserves the right to exterminate the unit and charge the resident.

#### *18.8 NUISANCE OR THREAT TO HEALTH SAFETY*

The pet and its living quarters must be maintained in a manner to prevent odors and any other unsanitary conditions in the owner's unit and surrounding areas. Pet owners must clean up after their pets and are responsible for disposing of pet waste.

Repeated substantiated complaints by neighbors or Columbia Housing Authority personnel regarding pets disturbing the peace of neighbors through noise, odor, animal waste, or other nuisance will result in the owner having to remove the pet or the CHA will evict the resident.

#### *18.9 DESIGNATION OF PET AREAS*



Pets must be kept in the owner's apartment or on a leash at all times when outside (no outdoor cages may be constructed). Tenants will not be allowed to keep pets outside on chains or in cages. Pets will be allowed only in designated areas on the grounds of the projects. Pet owners must clean up after their pets and are responsible for disposing of pet waste.

#### ***18.10 VISITING PETS***

When the Columbia Housing Authority approves a guest in a public housing unit, the guest may be allowed to bring a pet, only for the duration of the stay, if approved in advance by the CHA. Pets must meet the size and type criteria outlined above. Tenants who have visiting pets must abide by the conditions of this policy regarding health, sanitation, nuisances, and peaceful enjoyment of others. Visiting pets must be contained. Any violation of this policy will require the tenant to remove the visiting pet.

#### ***18.11 REMOVAL OF PETS***

The Columbia Housing Authority, or an appropriate community authority, shall require the removal of any pet from a project if the pet's conduct or condition is determined to be a nuisance or threat to the health or safety of other occupants of the project or of other persons in the community where the project is located. Failure to remove pet will be grounds for eviction.

If a pet dies, the resident may not dispose of the pet's body on CHA property, including burial or by using dumpsters. Residents may call the City of Columbia for assistance in the removal of pet.

#### ***18.12 INSPECTIONS***

The Columbia Housing Authority reserves the right to inspect any unit with pets at any time.

#### ***18.13 EFFECTIVE DATE***

This policy is effective July 1, 2019.

### **19.0 REPAYMENT AGREEMENTS**

When a resident owes the Columbia Housing Authority back charges (to include those under a hardship situation) and is unable to pay the balance by the due date, the resident may request that the Columbia Housing Authority allow them to enter into a Repayment Agreement. The Columbia Housing Authority has the sole discretion of whether to accept such an agreement. All Repayment Agreements must assure that the full payment is made within a period not to exceed twelve (12) months unless approved by the manager. All

Repayment Agreements must be in writing and signed by both parties. Failure to comply with the Repayment Agreement terms may subject the Resident to eviction procedures.

## **20.0 TERMINATION**

### *20.1 TERMINATION BY TENANT*

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

### *20.2 TERMINATION BY THE HOUSING AUTHORITY*

The Columbia Housing Authority after 10/1/2000 will not renew the lease of any family that is not in compliance with the Community Service Requirement or an approved agreement to cure. If they do not voluntarily leave the property, eviction proceedings will begin.

An incident or incidents of actual or threatened domestic violence, elating violence, sexual assault, or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and shall not be good cause for terminating the assistance, tenancy, or occupancy rights of the victim of such violence.

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

- A. Nonpayment of rent or other charges;
- B. A history of late rental payments;
- C. Failure to provide timely and accurate information regarding family composition, Social Security numbers, income circumstances, or other information related to eligibility or rent;
- D. Failure to allow inspection of the unit;
- E. Failure to maintain the unit in a safe and sanitary manner;
- F. Assignment or subletting of the premises;
- G. Use of the premises for purposes other than as a dwelling unit (other than for housing authority approved resident businesses);
- H. Destruction of property;

- I. Acts of destruction, defacement, or removal of any part of the premises or failure to cause guests to refrain from such acts;
- J. Any criminal activity or drug-related criminal activity on or off the premises (even in the absence of conviction or arrest). The Columbia Housing Authority has a "one-strike" or "zero tolerance" policy with respect to violations in this area.
- K. Non-compliance with Non-Citizen Rule requirements;
- L. Permitting persons not on the lease to reside in the unit more than fourteen (14) days each year without the prior written approval of the Housing Authority; and
- M. The Columbia Housing Authority will take immediate action to evict any household that includes an individual who is subject to a lifetime registration requirement under a State sex offender registration program.
- N. Failure to comply with Community Service Requirements.
- O. Threatens a CHA employee or another resident.
- P. Other good cause.

### **20.3 ABANDONMENT**

The Columbia Housing Authority will consider a unit to be abandoned when a resident has both fallen behind in rent **AND** utilities are no longer on.

When a unit has been abandoned, a Columbia Housing Authority representative may enter the unit and remove any abandoned property. If the value of the removed property is less than \$500, it will be disposed of. If the value of the removed property is greater than \$500, then the Columbia Housing Authority will file for a "Declaration of Abandonment" with the local magistrate. If the magistrate concurs, the removed property will be disposed of.

In all cases, the manager has the right to sell the property.

Any money raised by the sale of the property goes to cover money owed by the family to the Columbia Housing Authority such as back rent and the cost of storing and selling the goods. If there is any money left over (i.e., security deposit) and the family's forwarding address is known the Columbia Housing Authority will mail it to the family. If the family's address is not known, the Columbia Housing Authority will keep it for the resident for no more than 5 years. If it is not claimed within that time, the Columbia Housing Authority will submit the funds to South Carolina Department of Revenue.

Within **30** days of learning of an abandonment, the Columbia Housing Authority will either return the deposit or provide a statement of why the deposit is being kept.

#### **20.4 RETURN OF SECURITY DEPOSIT**

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

The Columbia Housing Authority will pay interest on security deposits.

The Columbia Housing Authority will be considered in compliance with the above if the required payment, statement, or both, are deposited in the U.S. mail with first class postage paid within **thirty (30) days**.

#### **20.5 BALANCES OWED THE COLUMBIA HOUSING AUTHORITY**

If a resident leaves with a balance owed the Columbia Housing Authority and it is not paid by November of the calendar year, the South Carolina Department of Revenue will be notified.

#### **20.6 Death of Head of House/told**

When notified of a deceased tenant or when the Deceased Tenant Report identifies a tenant, the CHA will be required to take the following actions:

- A. **Public Housing Program only:** Conduct a home visit to determine if anyone is residing in the unit.

If there are unauthorized persons (including a live-in aide) in the unit of a deceased single member household, the CHA will pursue judicial intervention to have them lawfully removed from the unit.

- B. **Section 8 Program Only:** For deceased single member households or a household where the remaining household member is a live-in aide, the CHA will discontinue Housing Assistance Payment (HAP) to the owner no later than the first of the following month after the month in which the death occurred.

CHA is required to immediately terminate program assistance for deceased single member households which will result in termination of the HAP contract and HAP to the owner in accordance with the aforementioned provisions. The owner is **not** entitled to HAP for any month following the month in which the death occurred. There are no exceptions to this policy.

## **21.0 GRIEVANCES AND EXCEPTIONS**

### **21.0 GRIEVANCES**

All decisions can be appealed by following the Columbia Housing Authority's standard grievance procedures, which can be found in the Columbia Housing Authority's Annual Plan. A copy of this Annual Plan is available in all CHA management offices.

### **21.2 EXCEPTIONS**

Exceptions to the admission's policy or procedure will only be made by the Columbia Housing Authority's Executive Director. His/her judgment will be based upon relative evidence, produced by the applicant, that adherence to a certain policy or procedure would result in an emergency or hardship either to the applicant and/or a member of the family. Such exceptions will not be based on race, color, national origin, religion, sex, familial status (including children under the age of 18 living with parents or legal custodians, pregnant women, and people securing custody of children under the age of 18), and disability.

## **22.1 VIOLENCE AGAINST WOMEN ACT (VAWA)**

The Columbia Housing Authority Board of Commissioners has adopted a Violence Against Women Policy to implement the applicable provisions of the Violence Against Women and Department of Justice Reauthorization Act of 2005 and more generally to establish the CHA's policies and procedures regarding domestic violence, dating violence, sexual assault, and stalking, as defined by HUD.

The Policy shall be applicable to the administration by CHA of all federally subsidized public housing, Section 8 rental assistance under the United States Housing Act of 1937 (42 U.S.C. § 1437 *et seq.*) and all other programs funded by the U.S. Department of Housing and Urban Development. Notwithstanding its title, the policy is gender-neutral, and its protections are available to males who are victims of domestic violence, dating violence, or stalking as well as female victims of such violence.

## GLOSSARY

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Child Care Expenses:** Amounts anticipated to be paid out of pocket 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 such amounts are not reimbursed. The amount deducted shall reflect reasonable (based on market rates) charges for child care. In the case of child care necessary to permit employment, the amount deducted shall not exceed the amount of employment income that is included in annual income. (24 CFR 5.603(d))

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

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

**Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim, based on: length of relationship; type of relationship; frequency of interaction between the persons.

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

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

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

student. (24 CFR 5.603(d)). Children who are subject to a joint custody agreement but live with one parent at least 51% of the time will be considered members of the household. "51% of the time" is defined as 183 days of the year and do not have to run consecutively. When both parents are on the Waiting List and both are trying to claim the child, the parent whose address is listed in the school records will be allowed to claim the school-age child as a dependent.

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

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

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

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

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

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

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

**Disallowance:** Exclusion from annual income.

**Domestic Violence:** Felony or misdemeanor crimes of violence committed by: current or former spouse of the victim, or person similarly situated to a spouse of the victim; person with whom victim shares a child in common; person who cohabits with or has cohabited with victim; or any other person.

**Drug-Related Criminal Activity:** Drug trafficking or the illegal use, or possession for personal use, of a controlled substance as defined in Section 102 of the Controlled Substances Act (21 U.S.C. 802).



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

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

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

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

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

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

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

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

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

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

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

**Full-Time Student:** A person who is carrying a subject load that is considered full-time for day students under the standards and practices of the educational institution attended. An educational institution includes a vocational school with a diploma or certificate program, as well as an institution offering a college degree. (24 CFR 5.603(d))

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

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

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

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

**Independent Student:** A student that is 24 years old by December 31 of the award year for which aid is sought; an orphan or ward of the court through the age of 18; a veteran of the U.S. Armed Forces; has legal dependents other than a spouse (for example, dependent children or parent); a graduate or professional student; or married.

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

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

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

- A. Is determined to be essential to the care and well-being of the persons;
- B. Is not obligated for the support of the persons; and

- C. Would not be living in the unit except to provide the necessary supportive services. (24 CFR 5.403(b))

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

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

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

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

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

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

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

**Net Family Assets:**

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

- C. In determining net family assets, housing authorities or owners, as applicable, shall include the value of any business or family assets disposed of by an applicant or tenant for less than fair market value (including a disposition in trust, but not in a foreclosure or bankruptcy sale) during the two years preceding the date of application for the program or reexamination, as applicable, in excess of the consideration received therefor. In the case of a disposition as part of a separation or divorce settlement, the disposition will not be considered to be for less than fair market value if the applicant or tenant receives important consideration not measurable in dollar terms. (24 CFR 5.603(d))

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

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

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

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

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

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

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

1. Is expected to be of long-continued and indefinite duration;
2. Substantially impedes his or her ability to live independently; and
3. Is of such a nature that such ability could be improved by more suitable housing conditions, or

- C. Has a developmental disability as defined in Section 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act, which states:

"Severe chronic disability that:

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

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

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

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

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

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

**Remaining Member of a Tenant Family:** A member of the family listed on the lease who continues to live in the public housing dwelling after all other family members have left. (Handbook 7565.1 REV-2, 3-5b.)

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

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

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

**Stalking:** To follow, pursue, place under surveillance, or repeatedly commit acts with intent to kill, injure, harass, or intimidate. To place a person in reasonable fear of death, serious bodily injury, or emotional harm to that person, their immediate family member(s), or spouse or intimate partner.

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

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

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

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

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

**Total Tenant Payment (TTP):**

- A. Total tenant payment for families whose initial lease is effective on or after August 1, 1982:
  1. Total tenant payment is the amount calculated under Section 3(a)(1) of the 1937 Act which is the higher of:
    - a. 30% of the family's monthly adjusted income;
    - b. 10% of the family's monthly income; or
    - c. If the family is receiving payments for welfare assistance from a public agency and a part of such payments, adjusted in accordance with the family's actual housing costs, is specifically designated by

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

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

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

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

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

**Very Low-Income Families:** Low-income families whose incomes do not exceed 50% of the median family income for the area, as determined by the Secretary with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 50% of the median for the areas on the basis of the Secretary's findings that such variations are necessary because of unusually high or low family incomes. Such ceilings shall be established in consultation with the Secretary of Agriculture for any rural area, as defined in Section 520 of the Housing Act of 1949, taking into account the subsidy characteristics and types of programs to which such ceilings apply. (1937 Act)

**Veteran:** A person who served in the active military, naval, or air service, and who was discharged or released there from under conditions other than dishonorable.

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

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

**Working Family:** Families whose head of household or spouse are bona fide employed for a period of ninety (90) days.

For the purpose of the site-based waiting list, the head of household or spouse are bona fide employed for a period of one (1) year.



**ACRONYMS**

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

Appendix I

Income Limits and Deconcentration Worksheet

Development Name	Number of Units Under ACC	Number of Units Occupied	Number of Occupied Units by Very Poor Families	% Occupied by Very Poor Families

% Very Poor in Census Tract

Target Number

Number needed below 30% of median income

Number needed 30% of median income

Waiting list number of families Appendix 2